THE MADRAS LEGISLATIVE COUNCIL.

Tuesday, the 27th November 1928.

The House met at 11 o'clock, the President (the hon. Rao Bahadur C. V. S. NARASIMHA RAJU Garu) in the Chair.

PRESENT:

Marjoribanks, K.C.I.E., C.S.I., I.C.S., The hon. Sir Norman.
Usman Sahib Bahadur, *Kt.*, The hon. Khan Bahadur Sir Muhammad.
Moir, C.S.I., C.I.E., I.C.S., The hon. Mr. T. E.
Krishnan Nayar, The hon. Diwan Bahadur M.
Subbarayan, The hon. Dr. P.
Muthiah Mudaliyar, The hon. Mr. S.
Seturatnam Ayyar, The hon. Mr. M. R.
Abdul Hamid Khan Sahib Bahadur.
Abdul Razack Sahib Bahadur, Khan Bahadur S. K.
Adinarayana Chettiyar, Mr. T.
Anantakrishna Ayyar, Rao Bahadur C. V.
Anjaneyulu, Mr. P.
Appavu Chettiyar, Mr. C. D.
Ari Gowder, Mr. H. B.
Arogyaswami Mudaliyar, Diwan Bahadur R. N.
Arpudaswami Udayar, Mr. S.
Basheer Ahmad Sayeed Sahib Bahadur.
Bazl-ul-lah Sahib Bahadur, C.I.E., O.B.E., Khan Bahadur Muhammad.
Bhaktavatsulu Nayudu, Mr. P.
Bhanoji Rao, Mr. A. V.
Bheemayya, Mr. J.
Chidambaranatha Mudaliyar, Mr. T. K.
Cotton, C.I.E., I.C.S., Mr. C. W. E.
Davis, Mr. J. A.
Dorai Raja, Rajkumar S. N.
Ellappa Chettiyar, Rao Bahadur S.
Ethirajulu Nayudu, Diwan Bahadur P. C.
Foulkes, Mr. R.
Gangadhara Siva, Mr. M. V.
Gnanavaram Pillai, Mr. P. J.
Gopala Menon, Mr. C.
Govindaraja Mudaliyar, Mr. C. S.
Hampayya, Rai Sahib M.
Harisarvottama Rao, Mr. G.
Hearson, Mr. H. F. P.
John, Mr. V. Ch.
Kaleswara Rao, Mr. A.
Karant, Mr. K. R.
Kay, Mr. Kenneth.
Kesava Pillai, C.I.E., Diwan Bahadur P.
Khadir Mohidin Sahib Bahadur, Muhammad.
Khalif-ul-lah Sahib Bahadur, Khan Bahadur P.
Koti Reddi, Mr. K.
Krishnan, Mr. K.
Krishnaswami Nayakar, Mr. K. V.
Kumara Raja of Venkatagiri.
Kumaraswami Reddiyar, Diwan Bahadur S.
Kuppuswami, Mr. J.
Madhavan Nayar, Mr. K.
Mahmud Schamnad Sahib Bahadur.
Mallayya, Dr. B. S.
Manikkavelu Nayakar, Mr. M. A.
Marudavanam Pillai, Mr. C.
Meera Ravuttar Bahadur, K. P. V. S. Muhammad.
Muniswami Nayudu, Rao Bahadur B.
Muniswami Pillai, Mr. V. I.
Murugappa Chettiyar, Diwan Bahadur A. M. M.
Muthuranga Mudaliyar, Mr. C. N.
Nanjappah Bahadur, Subadar-Major S. A.
Narayana Raju, Mr. D.
Narayana Rao, Mr. M.
Narayanaswami Pillai, Mr. T. M.
Obi Reddi, Mr. C.
Parasurama Rao Pantulu, Mr. A.
Parthasarathi Ayyangar, Mr. C. R.
Patro, *Kt.*, Rao Bahadur Sir A. P.
Premayya, Mr. G. R.
Raja of Panagal, K.C.I.E.
Rajan, Mr. P. T.
Ramachandra Padayachi, Mr. K.
Ramachandra Reddi, Mr. B.
Raman Menon, Mr. K. P.
Ramanath Goenka, Mr.
Ramasomayajulu, Mr. C.
Ramjee Rao, Mr. V.
Ranganatha Mudaliyar, Mr. A.
Ratnasabhapati Mudaliyar, Rao Bahadur C. S.
Robertson, Mr. R. J. C.
Sahajanandam, Swami A. S.
Saldanha, Mr. J. A.
Sami Venkatachalam Chetti, Mr.
Satyamurti, Mr. S.
Shetty, Mr. A. B.
Sitarama Reddi, Rao Bahadur K.
Siva Raj, Mr. N.
Siva Rao, Mr. P.
Sivasubrahmanya Ayyar, Mr. K. S.
Slater, C.I.E., I.C.S., Mr. S. H.
Soundara Pandia Nadar, Mr. W. P. A.
Souter, I.C.S., Mr. C. A.
Srinivasa Ayyangar, Mr. R.
Srinivasa Ayyangar, Mr. T. C.
Srinivasan, Rao Sahib R.
Swami, Mr. K. V. R.
Syed Ibrahim Sahib Bahadur, Nattam Dubash Kadir Sahib.
Tajudin Sahib Bahadur, Syed.
Tampoe, I.C.S., Mr. A. McG.C.
Thomas, Mr. Daniel.
Tulasiram, Mr. L. K.
Uppi Sahib Bahadur, K.
Venkatapathi Raju, Mr. P. C.
Venkatarama Ayyar, Mr. K. R.
Venkataramana Ayyangar, Mr. C. V.
Venkatarangam Nayudu, Mr. C.
Venkataratnam, Mr. B.
Venkiah, Mr. S.
Watson, I.C.S., Mr. H. A.
Wright, Mr. W. O.
Zamindar of Mirzapuram.
Zamindar of Seithur.
Zamindar of Singampatti.

I

QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Agriculture

Improvement of millets in the Agricultural department.

* 692 Q.—Mr. ABDUL HAMID KHAN: Will the hon. the Minister for Development be pleased to state—

(a) whether there is an expert for the improvement of millets in the Agricultural department;

(b) if so, when this section was opened and where it has got its headquarters;

(c) what are the qualifications of the expert for the place;

(d) whether cholam is the most important of all the millets, and, if so, whether he has been working on this crop;

(e) if he has been working on the crop, what are the results of economic importance that he has been able to obtain;

(f) the extent of the area in which the improved variety of cholam has been sown round about Coimbatore;

(g) whether it is a fact that the Government propose to start a millet sub-station in the Ceded districts, if so, where;

(h) if the main station has not produced any results, whether the opening of a sub-station in Ceded districts is necessary; and

(i) whether this opening of sub-station is meant for the promotion of the first assistant of the millet specialist to the Madras Agricultural Service?

A.—(a) Yes.

(b) In October 1923; at Coimbatore.

(c) A Botany graduate with nine years' practical experience of plant breeding work under Mr. Parnell, the late Paddy Specialist.

(d) Yes.

(e) The various strains of cholam grown in the Presidency have been examined and 944 single selections have been made, sown, and studied for the two seasons, viz., summer and main crop. Enough seed has been obtained from 36 of the best of these to carry out a comparative trial this coming year. These comparative trials mark the beginning of the final process which will result in an improved strain being given out to the ryots. The morphological characters of the different cholams have been studied in detail at the same time.

(f) An improved strain has not yet been issued. It must be realized that on the analogy of paddy the actual evolution of a new and improved strain which can be put in the hands of the ryots takes about seven years and the station was only opened at the end of 1923.

(g) Yes; the Director of Agriculture submitted proposals for opening a millet station at Adoni but the proposals were deferred as details of cost of the entire scheme were not ready.

(*h*) The main station has produced excellent results. It has been found with other crops that it is necessary to have more than one breeding station to meet the varying needs of the Presidency since a strain which may suit one locality will not necessarily suit another.

(*i*) No.

Mr. ABDUL HAMID KHAN :—" May I know whether the gentleman who is in charge of this department at Coimbatore is the only gentleman that the Government has found most qualified for the purpose ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" Quite so."

Mr. ABDUL HAMID KHAN :—" May I know from the hon. Minister what the qualifications are of the assistant who is now helping this gentleman in this department."

The hon. Mr. M. R. SETURATNAM AYYAR :—" Notice."

Co-operative Societies

Reduction of the rate of interest on loans to land mortgage banks.

* 693 *Q.*—Mr. A. B. SHETTY : Will the hon. the Minister for Development be pleased to state—

(*a*) whether any representations have been made to the Government to reduce the rate of interest charged by them for the loans they give to land mortgage banks and building societies ; and

(*b*) whether they have ever considered this matter and come to any decision upon it ?

A.—(*a*) Yes.

(*b*) Yes, the Government have decided not to reduce the rate of interest for the present.

Mr. A. B. SHETTY :—" With reference to the answer given in clause (*b*), may I know whether the Government propose to consider the question of reducing the rate of interest at any time ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" We are considering the question and we will go into the whole question at the time of the preparation of the budget for the next year."

Mr. P. BHAKTAVATSULU NAYUDU :—" May I know on what basis the Government arrived at the decision not to reduce the rate of interest ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" The answer is only for the present year. Practically the loans budget was prepared at the time of the last budget, so we could not do anything by way of reducing the interest. We will be able to do something after going into the whole question."

Rao Bahadur C. S. RATNASABAPATI MUDALIYAR :—" Will the Government be pleased to consider the desirability of lowering the rate of interest on monies lent to local bodies ? "

The hon. the PRESIDENT :—" The hon. Member will have to give notice of this question. It is foreign to the question under consideration."

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Industries

Report of Mr. Raitt on the application for a loan from the Carnatic Paper Mills, Limited.

*694-A Q.—Mr. K. V. R. Swami: Will the hon. the Minister for Development be pleased to state—

(a) whether the Government called for any report from Mr. W. Raitt, Officer-in-charge of Paper Pulp section, Forest Research Institute, Dehra Dun, in connexion with the application of the Carnatic Paper Mills for a loan; and

(b) when the report was called for and when it was submitted?

A.—(a) The Director of Industries obtained Mr. Raitt's advice.

(b) Towards the end of 1924.

Mr. K. V. R. Swami:—"Did the Government consider that Mr. Raitt was the proper person to give an opinion on the subject?"

The hon. Mr. M. R. Seturatnam Ayyar:—"Yes."

Report of Mr. Raitt on the Carnatic Paper Mills Company, Limited.

*694-B Q.—Mr. K. V. R. Swami: Will the hon. the Minister for Development be pleased to state—

(a) what Mr. Raitt had said in his report on the Carnatic Paper Mills with regard to the following matters:—

(i) suitability of site,
(ii) mill buildings, and
(iii) machinery and plant;

(b) whether he made any proposals for early production of paper;
(c) whether he gave any estimate of profits; and
(d) if so, what his estimate of profits was?

A.—(a) (i) Satisfactory,
(ii) well designed and solidly constructed,
(iii) good.
(b) Yes.
(c) Yes.
(d) About 3 per cent on a block capital of Rs. 18 lakhs. But he revised his opinion later.

Mr. K. V. R. Swami:—"In answer to clause (d) of this question, it is stated 'About 3 per cent on a block capital of Rs. 18 lakhs. But he revised his opinion later.' May I know when he revised his opinion?"

The hon. Mr. M. R. Seturatnam Ayyar:—"Notice, Sir."

Mr. D. Narayana Raju:—"Was the report sent back to him for revision of his opinion?"

The hon. Mr. M. R. Seturatnam Ayyar:—"Notice."

Mr. J. A. Saldanha:—"What is the revised opinion?"

The hon. Mr. M. R. Seturatnam Ayyar:—"That it will fetch only less than 3 per cent."

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Mr. C. RAMASOMAYAJULU :—" May I know whether his opinion will be placed on the table of the House ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" No, Sir."

Mr. C. RAMASOMAYAJULU :—" First, or the second ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" Both."

Mr. G. HARISARVOTTAMA RAO :—" May I know whether Mr. Raitt estimated that the income would be less by $\frac{1}{2}$ per cent ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" I think more than that."

Mr. G. HARISARVOTTAMA RAO :—" May I know approximately what it was ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" Notice, Sir."

Mr. S. SATYAMURTI :—" May I know whether Mr. Raitt's opinion was published ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" I think it was not published."

Mr. C. V. VENKATARAMANA AYYANGAR :—" I simply want to know whether there is any considerable difference of opinion between the original report and the revised report of Mr. Raitt, because it is stated in answer to clause (*b*) ' Mr. Raitt has since considerably modified his opinion.' I want also to know whether that difference of opinion has arisen with regard to the income of the mill, if it is worked, and also with regard to his recommendation as to what Government should do with this factory if it is not worked ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" Yes."

Mr. K. V. R. SWAMI :—" When so much as Rs. 7,86,898 was lent to the Carnatic Paper Mills Company, Limited, were the Government sure that the money could be realized ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" At that time ' yes.' It was in August 1926."

Mr. K. V. R. SWAMI :—" Was the mill working at that time ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" No, Sir."

Mr. K. V. R. SWAMI :—" Was there any possibility of the mill being worked at that time ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" The Director of Industries said so."

Action taken by Government on Mr. Raitt's report on the Carnatic Paper Mills Company, Limited.

* 694-C Q.—Mr. K. V. R. SWAMI : Will the hon. the Minister for Development be pleased to state—

(*a*) whether Government had accepted the report on the Carnatic Paper Mills made by Mr. Raitt ; and

(*b*) whether the Government will place Mr. Raitt's report on the Council table ?

A.—(*a*) Yes ; at the time of granting the Mills a loan of Rs. 4 lakhs ;

(*b*) No. Mr. Raitt has since considerably modified his opinion.

Principle of granting loans to the Carnatic Paper Mills Company, Limited.

* 695-A Q.—Mr. K. V. R. SWAMI: With reference to answer to question No. 74, dated 20th October 1927, will the hon. the Minister for Development be pleased to state—

(a) the purpose for which each loan was granted to the Carnatic Paper Mills;

(b) the total liability of the firm on the date of the last loan;

(c) whether each loan was secured by a mortgage bond;

(d) the date on which the first loan was actually paid;

(e) the purpose for which it was actually applied; and

(f) whether by the date when it was granted the company had dispensed with the services of most of their staff and, if so, for what reason?

A.—(a) Rupees 4 lakhs were granted to redeem prior mortgage and to clear certain other liabilities; the balance to pay the staff, to maintain property, to pay off insurance charges, to meet Court cost, etc.

(b) Rupees 7,86,898 on 30th June 1927.

(c) Yes.

(d) 14th March 1925.

(e) For redeeming prior mortgage and clearing certain other liabilities.

(f) The Government have no information.

Possibilities of repaying the loan by the Carnatic Paper Mills, Limited.

* 695-B Q.—Mr. K. V. R. SWAMI: Will the hon. the Minister for Development be pleased to state whether the Government in demanding the loan amount due to them from the Carnatic Paper Mills, Limited, have considered the possibility of their repaying the loan?

A.—Yes.

Alleged decision of the Government not to grant further loans to the Carnatic Paper Mills.

* 695-C Q.—Mr. K. V. R. SWAMI: Will the hon. the Minister for Development be pleased to state—

(a) whether the Government have decided not to advance any money to enable the Carnatic Paper Mills to start work;

(b) if so, when;

(c) what the reasons for such decision are;

(d) whether the Government have intimated their decision to the Mills;

(e) if so, when; and

(f) if not, why not?

A.—(a) Yes.

(b) Early this year.

(c) The attention of the hon. Member is invited to the speech of the hon. the Finance Member on the adjournment motion on the 5th September 1928.

(*d*), (*e*) & (*f*) No. The Mills were told as early as August 1926 that the amount of further loan admissible to them under the State Aid to Industries Act was strictly limited, and that the Government did not propose to grant any further assistance until they were satisfied that the company had reorganized itself and set up a proper and efficient management and found all the capital necessary over and above the admissible Government loan. The company has not so far satisfied these conditions.

Mr. K. V. R. SWAMI :—"In answer to clause (*c*) of this question it i stated 'The attention of the hon. Member is invited to the speech of the hon. the Finance Member on the adjournment motion on the 5th September 1928.' May I ask whether the Development Minister entirely depends upon the speeches of the hon. the Finance Member for his opinion? Has he no opinions of his own?"

The hon. the PRESIDENT :—"The reasons are to be found there."

Mr. K. V. R. SWAMI :—"Does he accept all those reasons?"

The hon. Mr. M. R. SETURATNAM AYYAR :—"In this matter 'yes'."

Mr. G. HARISARVOTTAMA RAO :—"With reference to the answers given in clauses (*d*), (*e*) and (*f*), did the Government call for an answer from the company and receive a reply? If they had received, what was the reply?"

The hon. Mr. M. R. SETURATNAM AYYAR :—"The Director of Industries reported on this matter on several occasions."

Mr. G. HARISARVOTTAMA RAO :—"May I know whether the hon. Minister is not prepared to give us the required information?"

The hon. Mr. M. R. SETURATNAM AYYAR :—"I want notice."

Issue of three months' notice to the shareholders of the Carnatic Paper Mills about the disposal of its properties.

* 696-A *Q.*—Mr. K. V. R. SWAMI: Will the hon. the Minister for Development be pleased to state—

(*a*) whether there is any clause in the mortgage deed executed by the Carnatic Paper Mills to the Government that in case the Government desire to dispose of the properties of the Mills they should give three months' notice to the shareholders or any other clause to the same effect;

(*b*) if so, whether any such notice was given to the shareholders; and

(*c*) if not, why not?

A.—(*a*) Yes; to the mortgagor.

(*b*) Yes.

(*c*) Does not arise.

Notice to the Carnatic Paper Mills, Limited, regarding repayment of the dues to Government.

* 696-B *Q.*—Mr. K. V. R. SWAMI: Will the hon. the Minister for Development be pleased to state—

(*a*) whether the Government have given notice to the Carnatic Paper Mills, Limited, that the amount due to the Government should be paid within three months, failing which certain steps would be taken;

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(b) if so, when the notice was given and when the period of notice will end; and

(c) what steps the Government propose to take if the amount is not paid within the period of notice?

A.—(a) Yes.

(b) (i) On the 2nd October 1928.

(ii) On the 1st January 1929.

(c) The Government will proceed to exercise the power of sale conferred upon them by the mortgage deed.

Mr. K. V. R. SWAMI:—"With reference to the answer given in clause (c), have the Government entered into contract with anybody for the sale of the Mill?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"No, Sir."

Mr. K. V. R. SWAMI:—"Will it be sold by public auction or by calling tenders?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"It can be stated only later on."

Alleged memorial for an experimental running of the Carnatic Paper Mills.

* 697-A Q.—Mr. K. V. R. SWAMI: Will the hon. the Minister for Development be pleased to state—

(a) whether a number of shareholders of the Carnatic Paper Mills sent up a memorial to the Government requesting them to complete the Mills or at least to make an experimental run of the plant, themselves undertaking to find all the capital required to work the Mills;

(b) whether the Director of Industries recommended the proposal; and

(c) what reply the Government have given to these memorialists?

A.—(a) A memorial was received asking the Government 'to complete the Mills' and run them for a period of six months but there was no undertaking in it to find the working capital required for this period.

(b) The memorial was received direct by the Government.

(c) None.

Mr. K. V. R. SWAMI:—"The answer to clause (c) is that no reply was sent by the Government. Is there any reason for not sending a reply to the memorial from the shareholders?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"The Government did not think it necessary to do so."

Mr. D. NARAYANA RAJU:—"May I know whether the memorial was considered by the Government at all?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"It was considered by the Government but no decision was arrived at."

Mr. K. V. R. SWAMI:—"May I presume that they are still considering the matter?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"Yes."

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Enquiry into the wishes of the shareholders of the Carnatic Paper Mills, Limited.

* 697-B Q.—Mr. C. RAMASOMAYAJULU: Will the hon. the Minister for Development be pleased to state—

(*a*) whether the Government have taken any steps in furtherance of the object of the adjournment motion passed in this Council on 5th September 1928, regarding the Carnatic Paper Mills, Limited, Rajahmundry;

(*b*) whether the Government have made any enquiries in the matter to know the views and wishes of the shareholders in the concern; and

(*c*) whether the Government propose to arrange for a meeting of the shareholders and attend the same with a view to get at the correct information with reference to the mill and its prospects?

A.—(*a*) The Government's view has been explained in the debate on the adjournment motion.

(*b*) & (*c*) No.

Mr. C. RAMASOMAYAJULU:—"With reference to the answer given to clause (*a*) of this question, am I to take it that the Government have taken no steps since the passing of the adjournment motion?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"No, Sir."

Mr. C. RAMASOMAYAJULU:—"Am I to take it that the Government have not considered the question at all since the passing of the adjournment motion on 5th September 1928?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"It is being considered."

Mr. C. RAMASOMAYAJULU:—"Am I to take it that the Government to-day adheres to the view they held prior to the passing of the adjournment motion?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"The whole question is being re-examined."

Possession of the Carnatic Paper Mills Company, Limited, by the Government.

* 698-A Q.—Mr. K. V. R. SWAMI: Will the hon. the Minister for Development be pleased to state—

(*a*) whether there was any condition in the mortgage bond executed by the Carnatic Paper Mills that the Government could take possession of the firm's assets under certain circumstances;

(*b*) if so, what these circumstances are;

(*c*) whether the Government have taken possession of the Carnatic Paper Mills;

(*d*) if so, when;

(*e*) what the intention was when such possession was taken;

(*f*) whether it is a fact that one Mr. Natarajan was present when such possession was taken by the Government;

(*g*) if so, why; and

(*h*) if so, for what reason?

A.—(*a*) & (*b*) Yes; when there is default in the repayment of the loan on due dates.

(*c*) Yes.

(*d*) In March 1928.

(*e*) To safeguard Government interest.

(*f*) Yes.

(*g*) & (*h*) In his capacity as representative of the corporation which have offered to take over the mills he was permitted to be present when the inventory was taken.

Mr. K. V. R. Swami:—"It is stated in answer to clause (*e*) that Government took possession of the mill in order to safeguard the interests of the Government. May I know whether the interests of the Government were suffering by not taking possession of the mill?"

The hon. Mr. M. R. Seturatnam Ayyar:—"We have advanced money to the mill and so we had to safeguard our interests."

Mr. G. Harisarvottama Rao:—"May I know whether the Government could not find their own men to take charge of this concern and why they handed it over to a representative of the South Indian Trading and Industrial Corporation?"

The hon. Mr. M. R. Seturatnam Ayyar:—"This method is cheeper. Previously we were paying Rs. 1,000 for supervision charges, whereas we have to pay now only Rs. 650. In view of this economy we had to make this arrangement."

Mr. G. Harisarvottama Rao:—"Did Mr. Natarajan, the representative of the corporation, take over the mill in his individual capacity or as a representative of that corporation?"

The hon. Mr. M. R. Seturatnam Ayyar:—"He took over charge of the Mill as a representative of the Corporation."

Mr. G. Harisarvottama Rao:—"May I know why the representative of a private concern should manage this Government's affairs?"

The hon. Mr. M. R. Seturatnam Ayyar:—"Simply for the sake of economy."

Mr. C. V. Venkataramana Ayyangar:—"May I know whether the South Indian Trading and Industrial Corporation took over charge of this mill as a result of private correspondence or as a result of calling for tenders?"

The hon. Mr. M. R. Seturatnam Ayyar:—"They themselves of their own accord took over charge of this mill."

Mr. C. V. Venkataramana Ayyangar:—"Was any other corporation or company prepared to take charge of this mill or purchase it?"

The hon. Mr. M. R. Seturatnam Ayyar:—"We offered to several other companies, but we could not succeed."

Mr. C. V. Venkataramana Ayyangar:—"If tenders had been received from other companies why the tender of this particular corporation should be accepted? Is it not a fact that in order to provide an appointment for Mr. Natarajan, the representative of the Indian Trading Corporation, the tender of this firm was accepted?"

The hon. Mr. M. R. Seturatnam Ayyar:—"No, Sir."

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Mr. C. V. VENKATARAMANA AYYANGAR :—" Then how did the Government select this particular corporation and employ Mr. Natarajan as the supervisor of the mill ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" Because he was the cheapest man available, and there was nobody else who would accept such a low remuneration."

Mr. G. HARISARVOTTAMA RAO :—" With reference to the answer given in clauses (*a*) and (*b*) of this question may I know whether the stipulation was that the concern should be taken over if there is failure in repayment of loan on the due date even when work had not been begun at all ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" Yes."

Mr. P. BHAKTAVATSULU NAYUDU :—" Was the presence of Mr. Natarajan, the representative of the corporation, a previous arrangement between the Government and that gentleman ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" No, Sir."

Mr. C. RAMASOMAYAJULU :—" May I know whether Mr. Natarajan was given over charge of the mill because he is an expert of another corporation, or as a result of previous arrangement with that corporation ? If it was not as a result of previous arrangement, how did he come to the mill to take over charge ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" The hon. Member must ask him. "

Mr. C. RAMASOMAYAJULU :—" Was there any advertisement in this matter at all inviting other firms to come and take charge of the mill ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" We approached some firms."

Mr. G. HARISARVOTTAMA RAO :—" May I know what the qualifications of this expert are ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" He is the director of some corporation."

Mr. C. V. VENKATARAMANA AYYANGAR :—" May I know, Sir, whether the Government have issued any notice to the general public by way of advertisement ? " 11-15 a.m.

The hon. Mr. M. R. SETURATNAM AYYAR :—" Some firms were approached."

Mr. C. V. VENKATARAMANA AYYANGAR :—" Was any public announcement or advertisement made ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" No, Sir."

Mr. C. V. VENKATARAMANA AYYANGAR :—" Will the Government now at least call for tenders ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" The matter has already become public on account of the various discussions on the subject."

Mr. C. V. VENKATARAMANA AYYANGAR :—" Do not the Government propose to call for tenders at all ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" Not at present, Sir. The mills themselves can call for tenders."

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Mr. C. V. VENKATARAMANA AYYANGAR :—" Quite apart from the question of the mill authorities calling for tenders, will the Government hereafter at least consider the desirability of calling for tenders ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" Yes, Sir, I shall consider."

Proposed selling of Government interest in the Carnatic Paper Mills.

* 698-B Q.—Mr. K. V. R. SWAMI : Will the hon. the Minister for Development be pleased to state—

(a) when and why the Government resolved to sell their interest in the Carnatic Paper Mills ;

(b) whether the Government have informed the shareholders of any such intention on their part ;

(c) whether the Government have issued any notice to general public that they intend to sell their interest in the mills ; and

(d) if the answer to clause (b) or (c) is in the affirmative, when any such notice was given ?

A.—(a) The matter is under consideration.

(b) & (d) Notice has been served on the Mills on the 2nd October 1928.

(c) No.

Negotiations for selling the Carnatic Paper Mills.

* 698-C Q.—Mr. S. SATYAMURTI : Will the hon. the Minister for Development be pleased to state—

(a) at what stage the negotiations for selling the Carnatic Paper Mills stand at present ; and

(b) the terms of such sale ?

A.—(a) & (b) The question of sale can only be considered in the event of failure of the company to pay up their dues to Government.

Alleged agreement with European firms about the transfer of the mortgage bond of the Carnatic Paper Mills.

* 699 Q.—Mr. K. V. R. SWAMI : Will the hon. the Minister for Development be pleased to state—

(a) whether the Government have entered into an agreement with some European firm through an Indian gentleman to transfer the mortgage bond of the Carnatic Paper Mills for certain amount ;

(b) what the names of the European firm and Indian gentleman are ;

(c) when the proposal was made and by whom ;

(d) when it was accepted ;

(e) what the amount is and when it is to be paid and by whom ;

(f) whether the interests of the shareholders are safeguarded in any manner ;

(g) if so, in what manner ; and

(h) whether a copy of the agreement will be placed on the Council table ?

A.—(a) No.

(b) to (h) Do not arise.

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Mr. C. V. Venkataramana Ayyangar :—" May I know whether any understanding, if not a final understanding at least a temporary understanding, has been arrived at regarding the sale of the factory ? "

The hon. Mr. M. R. Seturatnam Ayyar :—" No, Sir."

Mr. C. V. Venkataramana Ayyangar :—" Is it the idea to sell the Government interests alone or the whole factory ? "

The hon. Mr. M. R. Seturatnam Ayyar :—" No decision has been arrived at."

Mr. A. Kaleswara Rao :—" How long will these people continue to supervise ? "

The hon. Mr. M. R. Seturatnam Ayyar :—" As long as they please."

Transfer of the management of the Carnatic Paper Mills to the South Indian Trading and Industrial Corporation.

*700-A Q.—Mr. C. Ramasomayajulu : Will the hon. the Minister for Development be pleased to state—

(a) whether it is a fact that the Government have notified that the Carnatic Paper Mills may be handed over to one Mr. Natarajan on behalf of the South Indian Trading and Industrial Corporation ;

(b) whether the said order is consequential upon any decision by the Government to transfer their rights to the company ;

(c) whether prior to the passing of such order any notice was given to the shareholders concerned or whether any meeting of the shareholders was called for with a view to know the views of the shareholders ;

(d) whether it is a fact that foreclosure notice was given by the Government ; and

(e) what action the Government have taken to give effect to the opinion of this Council as indicated by the adjournment motion carried in this House on 5th September 1928 with reference to the Carnatic Paper Mills ?

A.—(a) The Government have in the interests of economy allowed the representative to supervise the property of the Mills on their behalf.

(b) No.

(c) No.

(d) A notice has been served on the company calling upon them to pay the amount due to the Government on the several mortgages executed by the company.

(e) A considerable amount of capital is required to work the Mills and Government do not feel justified in advancing this amount owing to the extreme difficulty of managing a concern of such a technical character as paper manufacture and it is obvious that without competent management the concern would not be a success.

Mr. C. Ramasomayajulu :—" May I know why no meeting of the shareholders was called for and no intimation given to them ? "

The hon. Mr. M. R. Seturatnam Ayyar :—" It is not necessary."

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Mr. C. Ramasomayajulu :—" May I know whether the Government want to safeguard their interests as creditors alone but not of the shareholders or of the concern itself ? "

The hon. Mr. M. R. Seturatnam Ayyar :—" Government thought that they should safeguard their interest first."

Mr. C. Ramasomayajulu :—" Are the Government aware that nearly 16 lakhs of rupees of the shareholders are sunk in this concern ? "

The hon. Mr. M. R. Seturatnam Ayyar :—" May be, Sir."

Mr. C. Ramasomayajulu :—" Then why is it that no notice was given to the shareholders or the prospects of the shareholders discussed with them ? "

The hon. Mr. M. R. Seturatnam Ayyar :—" It is no concern of the Government."

Mr. C. Ramasomayajulu :—" May I take it that it is no concern of the Government at all if the shareholders go to rack and ruin ? "

The hon. Mr. M. R. Seturatnam Ayyar :—" Not under the State Aid to Industries Act."

Mr. A. Ranganatha Mudaliyar :—" Sir, with reference to the statement that the length of supervision will depend on the representatives pleasure, may I know whether the Government have no voice in the matter ? "

The hon. Mr. M. R. Seturatnam Ayyar :—" Till the expiry of the period of notice."

Mr. K. V. R. Swami :—" May I know the amount that is required to run the Mills ? "

The hon. Mr. M. R. Seturatnam Ayyar :—" Twenty lakhs."

Mr. G. Harisarvottama Rao :—" May I know whether the Government feel itself incompetent to manage a concern of this nature ? "

The hon. Mr. M. R. Seturatnam Ayyar :—" I shall say, 'not qualified ' Sir."

Supervision of the Carnatic Mills by the South Indian Industrial and Trading Corporation.

*700-B Q.—Mr. K. V. R. Swami: Will the hon the Minister for Development be pleased to state—

(*a*) whether the Government have received any offer from the South Indian Industrial and Trading Corporation, Limited, that they would supervise the Carnatic Paper Mills, Limited, as the Agent of the Government and, if so, whether they have accepted it ;

(*b*) what the terms of the above offer are ;

(*c*) for how long the remuneration of Rs. 650 will be paid to the corporation ; and

(*d*) whether Government propose to work the mill ?

A.—(*a*) The Government have in the interests of economy allowed the representative of the Industrial and Trading Corporation, Limited, to supervise the Mills as the agent of and on behalf of Government.

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(*b*) The representative will be given Rs. 650 (six hundred and fifty) a month towards the upkeep of the property and the cost of the staff.

(*c*) So long as they continue to supervise the Mills.

(*d*) No. They do not propose to work the mill themselves.

Mr. K. V. R. SWAMI:—"Is it in the interests of the Government to see that the Mills are worked so that they might realise their whole money?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"Yes."

Mr. SAMI VENKATACHALAM CHETTI:—"May I know what is the kind of supervision that is expected of this gentleman?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"To see that the machinery is in order."

Mr. SAMI VENKATACHALAM CHETTI:—"Are there no officers in the Industries Department competent to look after these machines?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"They have no time."

Mr. P. BHAKTAVATSULU NAYUDU:—"With reference to the answer to clause (*d*), may I know why the Government do not propose to work the Mill themselves; is it on account of the economic aspect of it or on account of the difficulty of it?"

The hon. the PRESIDENT:—"The question has been answered."

Mr. SAMI VENKATACHALAM CHETTI:—"Do the Government think it a safe proposition to entrust the supervision of the Mill to Mr. K. Natarajan who is likely to be the prospective buyer of this concern?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"There is no harm."

Rao Bahadur Sir A. P. PATRO:—"Have the Government enquired into the antecedents of this Mr. Natarajan, the representative of the Corporation?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"Yes, Sir."

Rao Bahadur Sir A. P. PATRO:—"Will the Government place on the table of the House the report of their enquiries about this gentleman?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"That will be considered later on."

Rao Bahadur Sir A. P. PATRO:—"Is the supervision intended to work the Mills or is it simply to watch the whole concern?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"Simply to watch the Mill."

Rao Bahadur Sir A. P. PATRO:—"Do I understand the hon. Minister to say that this gentleman is paid Rs. 650 to stay in the premises and watch the machinery and buildings?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"Watch the machinery and the buildings there."

Rao Bahadur Sir A. P. PATRO:—"Cannot the Government think of a more economical method such as appointing a supervisor or some other person to supervise the concern?"

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The hon. Mr. M. R. SETURATNAM AYYAR :—" We were paying Rs. 1,000; now we are paying only Rs. 650."

Rao Bahadur Sir A. P. PATRO :—" Even now will the Government try to find out some other way of economically supervising the concern instead of wasting public money ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" If possible, yes."

Rao Bahadur C. S. RATNASABAPATHI MUDALIYAR :—" Is Mr. Natarajan an authorized representative of the Corporation ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" Yes, Sir."

Mr. C. V. VENKATARAMANA AYYANGAR :—" May I know whether Mr. Natarajan, being the representative of one of the competitors, they have been asked to send their men to inspect the machinery and the buildings ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" Yes."

Mr. C. V. VENKATARAMANA AYYANGAR :—" Is it to the knowledge of the Government ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" He works under the orders of the Director of Industries."

Rao Bahadur Sir A. P. PATRO :—" Are the Government aware that Mr. Natarajan is only a broker and has had no experience of any industry ?"

The hon. Mr. M. R. SETURATNAM AYYAR :—" We do not know, Sir."

Rao Bahadur Sir A. P. PATRO :—" Will the Government be pleased to make enquiries ? "

Mr. S. SATYAMURTI :—" May I know on whose recommendations he was appointed, whether he applied for this job, or whether the Government applied for him and whether they have made any enquiries about his qualifications and, if so, whether they will place the correspondence on the table ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" He was appointed only as a representative of the Corporation."

Mr. S. SATYAMURTI :—" Did the Corporation advise the Government so ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" Yes, Sir."

Mr. SAMI VENKATACHALAM CHETTI :—" Did Mr. Natarajan apply for the job ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" He applied on behalf of the Corporation."

Mr. S. SATYAMURTI :—" Did not the Corporation apply for buying the Mill ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" Yes."

Mr. S. SATYAMURTI :—" Then are the Government aware that they would have an interest in winding it up and forcing the sale ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" The Director of Industries saw no such danger."

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Mr. S. SATYAMURTI :—" Is he simply a watchman or has he got anything to do with machinery ? "

Mr. RAMANATH GOENKA :—" Are the Government aware that a probable buyer of the Mill will not be the proper person to take charge of the machinery and the mill ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" No, Sir."

Mr. RAMANATH GOENKA :—" Will he not try to shut out the competitors from the Mill and refuse to show them the machinery ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" No, he will not."

Mr. G. HARISARVOTTAMA RAO :—" Have the Government called for an estimate of the depreciation in the value of the machinery since it was put in charge of this man ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" Notice, Sir."

Transfer of the management of the Carnatic Paper Mills to the South Indian Trading Corporation.

*700-C Q.—Mr. K. V. R. SWAMI : Will the hon. the Minister for Development be pleased to state—

(*a*) whether Government have issued any communication to the Superintendent of the Carnatic Paper Mills, Limited, to hand over charge of the Mills and properties of that Company to Mr. S. Natarajan, the representative of the South Indian Trading Corporation ;

(*b*) whether the above Corporation has any previous knowledge of paper industries ; and

(*c*) whether the Corporation has managed any paper mills previously ?

A.—(*a*) The Director of Industries has issued a communication under instructions from the Government.

(*b*) & (*c*) Yes.

Mr. K. V. R. SWAMI :—" In answer to a question it was stated that the working capital should be 20 lakhs. May I know whether that estimate was given by any expert ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" Yes, Sir."

Mr. K. V. R. SWAMI :—" Who is that expert, Sir ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" Notice, Sir."

Mr. C. V. VENKATARAMANA AYYANGAR :—" May I know what relation Mr. Natarajan has to the Corporation, whether he is a Director, or a paid agent or a clerk or a broker or anything at all ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" He is a representative of the Corporation."

Mr. C. V. VENKATARAMANA AYYANGAR :—" Does he simply hold a power of attorney which can be cancelled at any moment ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" He is an accredited agent of the Company."

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Mr. C. V. Venkataramana Ayyangar :—"What is his relation to the Company ?"

The hon. Mr. M. R. Seturatnam Ayyar :—"Notice, Sir."

Mr. Abdul Hamid Khan :—"Was the gentleman appointed as a representative of the Company ?"

The hon. the President :—"It has been answered."

Mr. S. Satyamurti :—"May I know whether, in pursuance of the instructions issued by the Director of Industries, the charge of these Mills and properties has been handed over to Mr. Natarajan and whether the Superintendent has no access to the Mill or the properties now ?"

The hon. Mr. M. R. Seturatnam Ayyar :—"The Director of Industries can have supervision over this."

Mr. P. Bhaktavatsulu Nayudu :—"Is the sum of Rs. 650 paid to Mr. Natarajan per mensem the salary or honorarium and does he still continue to be the representative of the Corporation ?"

The hon. the President :—"We have passed over that question."

Mr. C. V. Venkataramana Ayyangar :—"With reference to clauses (b) and (c) may I know whether the Government have been informed by the Directors of this Corporation what mills they have managed before ?"

The hon. Mr. M. R. Seturatnam Ayyar :—"Notice, Sir."

Mr. C. V. Venkataramana Ayyangar :—"May I know what is the age of this Company, what is the capital of this Company and who are the Directors of this Company ?"

The hon. Mr. M. R. Seturatnam Ayyar :—"Notice, Sir."

Mr. C. V. Venkataramana Ayyangar :—"May I know whether the Government have any idea of the ability of this Company to do anything ?"

The hon. Mr. M. R. Seturatnam Ayyar :—"I am unable to give that information now."

Rao Bahadur Sir A. P. Patro :—"With reference to clauses (b) and (c) will the Government be pleased to give the names of the mill or mills which this Company has managed before ?"

The hon. Mr. M. R. Seturatnam Ayyar :—"Notice, Sir."

Transfer of the management of the Carnatic Paper Mills, Limited, to the South Indian Industrial and Trading Corporation, Limited.

* 700-D Q.—Mr. D. Narayana Raju : Will the hon. the Minister for Development be pleased to state whether it is a fact that the management of the Carnatic Paper Mills, Rajahmundry, has been handed over by Government to a representative of the South Indian Industrial and Trading Corporation, Limited, and, if so, under what circumstances and under what conditions ?

A.—The hon. Member is referred to the answer given by Government to question No. 700-B asked by Mr. K. V. R. Swami. In the interest of economy the Government have allowed the representative of Industrial and Trading Corporation to supervise the property of the Mills as the agent of and on behalf of Government.

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Mr. S. SATYAMURTI :—" May I know whether as a matter of fact, to-day, the Mill and the properties are handed over to Mr. Natarajan and are in his charge ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" Yes."

Mr. D. NARAYANA RAJU :—" Was any undertaking given by Mr. Natarajan that he would make good the loss, if any, owing to his default ? "

The hon Mr. M. R. SETURATNAM AYYAR :—" An inventory was taken by the Government."

Mr. C. V. VENKATARAMANA AYYANGAR :—" Are Government aware of any property owned by this gentleman ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" He has furnished cash security of Rs. 1½ lakhs."

Mr. C. V. VENKATARAMANA AYYANGAR :—" On behalf of the Company or himself ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" On behalf of the Corporation."

Mr. C. V. VENKATARAMANA AYYANGAR :—" As an advance of sale price ? Has it anything to do with an agreement for the sale of the Mill ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" Notice, Sir."

Mr. ABDUL HAMID KHAN :—" Is the gentleman authorized to bring about the sale of the Mill ? "

The hon Mr. M. R. SETURATNAM AYYAR :—" No, Sir."

Mr. ABDUL HAMID KHAN :—" What are the terms on which this gentleman has been appointed as agent of the Government ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" Simply to watch and supervise the Mill."

Mr. ABDUL HAMID KHAN :—" Why does the Government call him an agent ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" Notice, Sir."

Mr. RAMANATH GOENKA :—" Who will bear the loss, if any, Mr. Natarajan or the Company ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" The Company."

11-30 a.m.

Mr. S. SATYAMURTI :—" Will the Government place a copy of the agreement on the table ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" That will be considered, Sir."

Mr. P. BHAKTAVATSULU NAYUDU :—" Now that he is paid Rs. 650, has he ceased to be a servant of the Company ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" No, Sir."

Mr. A. KALESWARA RAO :—" May I know how much this Corporation offered, as price, to the Government ? "

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The hon. Mr. M. R. SETURATNAM AYYAR :—"That question has already been answered."

Mr. P. BHAKTAVATSULU NAYUDU :—"May I know if the Government are not able to get any other person in their own departments, why they chose a person who is serving a company, and whether he can serve the company and the Government simultaneously?"

The hon. Mr. M. R. SETURATNAM AYYAR :—"They cannot do so at this stage."

Collector's report on the tape industry in Kurnool district.

*701 Q.—Mr. G. HARISARVOTTAMA RAO: Will the hon. the Minister for Development be pleased, in view of the answer given to question No. 275 on 8th September 1928, to place on the table the report of the Collector of Kurnool in regard to the tape industry in the Kurnool district?

A.—No report was received from the Collector. The question was investigated by the Director of Industries and the answer given to question No. 275 on 8th September 1928 is based on the report of that officer.

Public Works

Increments to temporary upper subordinates of long service.

*702 Q.—Mr. C. V. VENKATARAMANA AYYANGAR: Will the hon. the Minister for Development be pleased to state—

(a) what the number of permanent and temporary upper subordinates has been for each year from 1918 to 1927;

(b) whether the temporary officers get any increments in salary at all till they are confirmed and if so, on what scale; if not, when was the system stopped, and why;

(c) what is the longest period of service for any temporary officer who has been working in the department; and

(d) whether the Government have in consideration any scheme to give some increments to temporary hands long in service?

A.—(a) The number of permanent and temporary upper subordinates as it stood on the 31st December of each of the years from 1918 to 1927 is given below:—

Year.	Permanent.	Temporary.
1918	257 [a]	232
1919	257 [a]	293
1920	263 [b]	273
1921	262	292
1922	194 [c]	173
1923	182	151
1924	183	188
1925	273	189
1926	276	251
1927	275	278

[a] Excludes 69 Sub-Engineers' posts.
[b] Do. 68 do.
[c] Do. 26 draftsmen's posts.

(b) Before 1925 temporary upper subordinates were granted increments once in three years. In that year 90 temporary posts of supervisors were brought on to the permanent establishment. It was then thought that owing to the increase in the permanent cadre, the temporary men would have better chances of confirmation and would not have to wait so long if they were good enough to be brought on to the permanent establishment. The incremental scale of pay was therefore abolished.

(c) Twenty-eight years and six months.

(d) Representations have been made in the matter by the Madras Engineering Association. The Chief Engineer has been asked to examine the question. His reply is awaited.

Medical

Financial aid to Vishavaidyasala at Tirur.

*703 Q.—Mr. K. Madhavan Nayar: Will the hon. the Minister for Public Health be pleased to state—

(a) whether there is a Vishavaidyasala (snake-bite curing hospital) at Tirur in South Malabar;

(b) whether the Government are aware that it is a popular institution and is doing good work;

(c) whether any help was asked for by the institution from the Government;

(d) whether the Government granted or refused such request; and

(e) whether the Government will enquire into the conduct of this institution and consider the advisability of encouraging it by giving financial aid to it and otherwise?

A.—(a) Yes.

(b) It has been so represented to the Government by a few local boards in the Malabar district who applied for sanction to contribute towards the upkeep of the institution.

(c) No.

(d) The question does not arise.

(e) There is no need to make an enquiry since there is no application for grant.

Mr. K. Madhavan Nayar:—"May I know whether any local boards asked the permission of the Government to contribute to this institution?"

The hon. Mr. S. Muthiah Mudaliyar:—"I remember two cases, Mr. President; Malabar District Board and Tanur Taluk Board."

Mr. K. Madhavan Nayar:—"May I know if the requests in those applications were granted?"

The hon. Mr. S. Muthiah Mudaliyar:—"In one case it was stated that it was not necessary to obtain sanction; in the other case it was sanctioned."

Mr. K. Madhavan Nayar:—"May I know whether any sums were contributed for the benefit of the institution and, if so, how much?"

The hon. Mr. S. Muthiah Mudaliyar:—"The authorities who applied for sanction would have contributed the amount."

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Dr. B. S. MALLAYYA :—"May I ask whether this vaidyasala was inspected by the Surgeon-General or the District Sanitary Officer of Malabar, whether they have stated that curing is done on scientific methods or only by manthrams and whether the institution is curing bites of poisonous or non-poisonous snakes or Government snakes ?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"I am yet to learn that Government have any snakes except in the Peoples Park. Neither the Surgeon-General nor the Medical Officer has sent us a report."

Dr. B. S. MALLAYYA :—"Are the Government going to contribute any sums to the institution if the curing is unscientific ?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"The Government have not made any contribution as yet."

Dr. B. S. MALLAYYA :—"Is the hon. Minister aware that there is an institution at Parel in Bombay where they extract poison and prepare an antidote to snake bites ? May I ask whether the Government are going to open a similar institution in Malabar ?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"I am thankful to the hon. Member for the information he gave regarding that institution in Bombay."

Accommodation for students from the Vizagapatam Medical School.

* 704 Q.—Dr. B. S. MALLAYYA : Will the hon. the Minister for Public Health be pleased to state—

(a) whether the Vizagapatam Medical School has been closed ; if so, when and for what reasons ;

(b) whether the students from that school have come to the Rayapuram Medical School ;

(c) whether the Rayapuram Medical School has accommodation for all of them ;

(d) how many such students have been admitted in the Rayapuram Medical School ; and

(e) whether there is room in the Rayapuram Medical School for more students and, if so, for how many ?

A.—(a) The Vizagapatam Medical School was closed in July 1927. The closure was necessitated by the establishment of the Medical College at Vizagapatam as the clinical material available in the Headquarter hospital was not sufficient for the proper instruction of the students of both the college and the school

(b) Yes.

(c) Yes.

(d) One hundred and forty-eight.

(e) No.

Dr. B. S. MALLAYYA :—"May I enquire what the strength was of the Medical School at Vizagapatam when it was closed ?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"My recollection is that it was 148."

Dr. B. S. MALLAYYA :—"Were all the students admitted into the Rayapuram School or were any of them turned out for want of accommodation ?"

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The hon. Mr. S. MUTHIAH MUDALIYAR :—" All of them who sought admission have been accommodated."

Mr. A. KALESWARA RAO :—" May I enquire whether there is any other school in the Telugu country ?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—" The idea was to open a school at Guntur ; it is under contemplation."

Mr. A. KALESWARA RAO :—" Is it going to materialize ?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I cannot promise it now."

Progress of the reconstruction of the Cocanada hospital.

*705 Q.—Mr. C. RAMASOMAYAJULU : Will the hon. the Minister for Public Health be pleased to state—

(a) in what stage the project for the reconstruction of the headquarters hospital at Cocanada, estimates for which were sanctioned in 1921, stands at present ;

(b) whether the site adjoining the Lady Havelock Hospital has been acquired ; if not, in what stage the acquisition proceedings stand at present ; and

(c) whether Government propose to expedite all necessary preliminaries so that the work may be taken on hand early ?

A.—(a), (b) & (c) Proposals for the acquisition of land and for the construction of new buildings near the Lady Havelock Hospital have been received from the Surgeon-General and are under consideration in connexion with the budget estimate for 1929–30.

Mr. C. RAMASOMAYAJULU :—" May I ask whether the estimates for this hospital were sent so long ago as 1921 ?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—" They were sent so long ago as 1921 but there was some controversy about the matter ; the estimates were sent again in 1926."

Mr. C. RAMASOMAYAJULU :—" Has any provision been made in the budget for the next year for this hospital ?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—" It is under contemplation ; the matter has been sent to the Finance Department."

Public Health

Supply of Sunlight soap to the cholera staff by municipalities.

*706 Q.—Mr. G. HARISARVOTTAMA RAO : Will the hon. the Minister for Public Health be pleased to state—

(a) why the Government thought it fit to impose upon the municipalities the duty of supplying Sunlight soap to the cholera staff during times of epidemics ;

(b) whether they considered the claims of their own Washwell soap before they imposed such a condition ; and

(c) whether they could not find one Indian soap worthy of encouragement ?

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A.—(*a*) & (*b*) In the rules framed by the Government to regulate the action to be taken to combat cholera in municipal areas, municipal councils are required *inter alia* to store four cakes of 'Sunlight' soap. This soap, owing to its quality, cheapness and ready availability in all markets, has come to be recognized as the typical utility soap, but there was no intention to prevent municipal councils from stocking similar soaps of the same quality manufactured in India or elsewhere if they preferred to.

(*c*) The Government propose to amend the rules in question so that municipal councils who prefer to purchase 'Washwell' or other soaps of the same quality as 'Sunlight' may be made more clearly aware that they are at liberty to do so.

Mr. G. HARISARVOTTAMA RAO :—"With regard to the answer to clause (*c*) of the question, may I know whether the Government have issued instructions?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"Not yet."

Mr. G. HARISARVOTTAMA RAO :—"May I know when they will issue them?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"I cannot say that exactly; all I can say is that the matter is under consideration."

Location of the Hindu cremation ground near Attaiyampatti in Salem taluk.

* 707 *Q.*—Mr. V. I. MUNISWAMI PILLAI : Will the hon. the Minister for Public Health be pleased to state—

(*a*) whether he is aware that the caste Hindus cremate dead bodies very near the village of Attaiyampatti (Adi-Dravida village), Salem taluk, causing great inconvenience to the villagers;

(*b*) whether he is aware that the village well is very near the cremation ground and that consequently the whole well gets filled with ashes after the cremation; and

(*c*) what steps the Government or the health authorities in Salem taluk propose to take in this matter?

A.—(*a*) & (*b*) Yes.

(*c*) The District Health Officer has selected another suitable site for the burning ground and the President, District Board, Salem, has addressed the President, Taluk Board, to take immediate action to close the existing burning ground and provide another.

Location of the Muhammadan burial-ground in Aspari village, Alur taluk.

* 708 *Q.*—Mr. A. RANGANATHA MUDALIYAR : Will the hon. the Minister for Public Health be pleased to state—

(*a*) whether the Muhammadans of Aspari village, Alur taluk, Bellary district, are burying their dead in the bed of the village tank; and

(*b*) whether any steps have been taken to give them an unobjectionable place for burial-ground?

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A.—(a) & (b) A portion of the tank-bed was used by the Muhammadans of Aspari village, Alur taluk, Bellary district, as a burial-ground for a long time. It was only last year that this was objected to. The President, Taluk Board, Adoni, has visited the village and selected another site and it is about to be acquired by the Taluk Board. Steps have also been taken to prohibit further burials in the tank-bed.

Alleged inconveniences caused by the Hindu burial-ground at Aspari village, Alur taluk.

*709 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Minister for Public Health be pleased to state—

(a) whether the Hindus of Aspari village, Alur taluk, Bellary district, are burying their dead in rastha poramboke leading to Chikkanahalli village inconveniencing the bandies and men using the rastha;

(b) whether the Hindus burn their dead close to the village drinking well; and

(c) if so, whether any steps have been taken to give them unobjectionable sites for the burial and burning of the dead?

A.—(a) & (b) No complaint has been made to the local authorities that the Hindus of Aspari village, Alur taluk, Bellary district, are burying their dead in rastha poramboke leading to Chikkanahalli village or cremating them close to the village drinking water well.

(c) If evidence of such practices is forthcoming local health authorities will take steps to stop them and, if necessary, to prosecute those who disobey.

Mr. A. RANGANATHA MUDALIYAR :—"Is it the idea of the Government that no steps need be taken to alleviate the nuisance caused to the people because those people are too ignorant and unable to make a complaint about the matter?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"I am sorry, Mr. President, that the hon Member has not understood the answer correctly. We are not aware of any inconvenience."

Mr. A. RANGANATHA MUDALIYAR :—"When I tabled that question, I made myself responsible for the facts contained in it; is that not evidence enough at least to make an enquiry into the matter?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"The Government have made enquiries."

Mr. A. RANGANATHA MUDALIYAR :—"May I ask if the facts are as stated by me?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"The information of the Government is that it has not taken place so far; if it takes place hereafter, trespassers will be prosecuted."

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Education

Desirability of placing European and Muslim education on the same footing.

*710-A Q.—Mr. BASHEER AHMAD SAYEED: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether the Government have at any time considered or propose to consider the necessity and desirability of placing Muslim education on the same footing as European education with a view to advance and spread education among the Muslim community more rapidly than at present; and

(b) whether the Government have received any representations on the above question from the Muhammadan Educational Association of South India?

A.—(a) No.
(b) No.

Mr. BASHEER AHMAD SAYEED:—"May I know, Sir, the reasons why the Government do not propose to consider the necessity of placing Muslim education on the same footing as European education?"

The hon. Dr. P. SUBBARAYAN:—"Because they do not think there is any necessity for such a step."

Mr. G. HARISARVOTTAMA RAO:—"May I know from the hon. the Education Minister whether he is aware that standards of life have grown equally for all communities and may I ask whether this distinction should not immediately go?"

The hon. Dr. P. SUBBARAYAN:—"I do not exactly understand the import of the hon. Member's question."

Mr. BASHEER AHMAD SAYEED:—"May I know why the Government think that there is no necessity?"

The hon. the PRESIDENT:—"That question has already been answered."

Scheme for elementary and higher education among Muslims.

*710-B Q.—Mr. BASHEER AHMAD SAYEED: Will the hon. the Minister for Education and Local Self-Government be pleased to state whether the Government have so far evolved any comprehensive scheme in respect of Muslim education, both elementary and higher, with reference to the special needs and the present condition of the Muslim community?

A.—The hon. Member is referred to Section IX of the Report on Public Instruction in the Madras Presidency for the quinquennium 1921–22 to 1926–27.

Recommendations of the Physical Educational Conference.

*711-A Q.—Mr. A. KALESWARA RAO: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) what the recommendations of the physical educational conference are with regard to the question of teaching lessons to students in all schools only for half a day, the other half day being allowed for recreation and games;

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(*b*) whether the Government have any such proposal before them for consideration ; and

(*c*) whether the Government propose to order all schools to be opened in the morning hours instead of from 10 a.m. to 1 p.m.?

A.—(*a*) & (*b*) The resolution of the conference on the subject was as follows :—

"That the Department of Public Instruction be requested to issue a circular to managements of institutions urging on them the importance of providing physical instruction as far as possible to every pupil of the school for not less than half an hour a day and requesting them to provide the necessary accommodation and additional teaching power for the purpose."

The Director of Public Instruction has issued a circular to all managements of schools that time-tables should be so arranged as to allow not less than three physical training periods for pupils up to the high school grade and two for high school pupils.

(*c*) The existing rules allow for the hours of instruction in schools being either in the mornings, noons or evenings. It is open to the managements of schools to consider the local and climatic conditions of the place and adopt the hours suitable to those conditions. The Government do not consider it necessary to issue a general order fixing school hours.

Steps taken for the improvement of physical strength of students in schools.

*711-B *Q.*—Mr. A. Kaleswara Rao: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(*a*) what steps the Government have taken for the improvement of the physical strength of the students in schools ; and

(*b*) whether the Government propose to take any and if so what steps to teach love of mother land and national unity as part of their curriculum to students in schools?

A.—(*a*) (1) Physical education is a compulsory subject in elementary schools for boys. In secondary schools, provision for physical training and games is regarded as an essential part of the curriculum and as a precondition of recognition by the Educational Department.

(2) Provision is made in the Grant-in-Aid Code for the payment of grants to schools towards expenditure on—

(i) gymnasia and games ;
(ii) acquisition of lands for use as playgrounds ;
(iii) renting of playgrounds ;
(iv) improvements to playgrounds ;
(v) employment of physical training instructors.

(3) An agreement has been entered into with the Y.M.C.A. under which the Association places at the disposal of Government one-third of the time of its Physical Director in return for a monthly grant of Rs. 23.

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(4) A full-time Assistant Physical Director and a Woman Specialist in Physical Education are employed in the department to promote physical education in boys' and girls' schools respectively.

Further particulars are given in paragraph 45 of the Report on Public Instruction in the Madras Presidency for the quinquennium 1921–22 to 1926–27. As the hon. Member is aware, two Committees have been appointed by Government to consider and report on the question of physical education in secondary and in elementary schools for boys.

(*b*) Moral instruction provides for the inculcation of patriotism and other items in the school curriculum such as History and Literature provide opportunities for teaching a love of country.

Mr. A. KALESWARA RAO :—" May I ask whether there are any schools where patriotism is taught ? "

The hon. Dr. P. SUBBARAYAN :—" The answer depends upon the hon. Member's idea of patriotism."

Mr. A. KALESWARA RAO :—" In the same sense in which the answer is given to this question."

The hon. Dr. P. SUBBARAYAN :—" I think that patriotism is taught in the schools."

Alleged withholding of leave salary of clerks in the Education department.

*712 Q.—Mr. G. HARISARVOTTAMA RAO: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(*a*) what were the cases in the clerical staff in the Educational department during the last three years, 1926–27, 1927–28 and 1928–29 (up to date) in which the last sentence of rule 17 in Annexure II to Part I, Fundamental Rules, was applied and leave withheld in spite of the production of a proper medical certificate ;

(*b*) what was the amount of leave pay in each case that was so withheld ; and

(*c*) what was the actual pay of the incumbent at the time per mensem ?

A.—(*a*), (*b*) & (*c*) The Government have no information. They do not think that any useful purpose will be served by the collection of the statistics required.

Mr. G. HARISARVOTTAMA RAO :—" May I know whether the hon. the Minister for Local Self-Government is prepared to reconsider his decision 'that it does not serve any useful purpose' and whether he is aware that the collection of statistics is required in order to get an idea as to how much injustice has been done ? The rule appears to be an exceptional one."

The hon. Dr. P. SUBBARAYAN :—" If the hon. Member will bring to the notice of the Government any injustice that is done, the Government will consider what can be done to alleviate the grievances."

Alleged withholding of the teachers' salaries by the Sankari Taluk Board.

*713 Q.—Mr. V. I. MUNISWAMI PILLAI: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether complaints were received by the hon. Minister from the Rev. Mr. Whitney and also from the District Educational Officer, Salem, that the school teachers under the Sankari Taluk Board have not received their pay for months together;

(b) whether it is a fact that more than four months' pay has yet to be paid to the teachers; and

(c) whether he has ascertained the cause for the withholding of the pay and whether he proposes to take steps to withhold payment of grants to this board if matters are not rectified within a stated time?

A.—(a) & (b) The Director of Public Instruction has received complaints from the District Educational Officer, Salem, on the subject.

(c) The matter is under examination.

Mr. V. I. MUNISWAMI PILLAI:—"May I know, with reference to answer to clause (c), how long it will take for the Director of Public Instruction to come to a decision in this matter?"

The hon. Dr. P. SUBBARAYAN:—"I cannot say exactly the time it will take."

Alleged refusal of admission to Adi-Dravida boys into the Taluk Board school, Nadupatti.

*714 Q.—Mr. V. I. MUNISWAMI PILLAI: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether it is a fact that the Adi-Dravida boys of Nadupatti village (Sankari Taluk Board) were refused admission into the Taluk Board school of the village;

(b) whether the villagers complained to the District Educational Officer;

(c) whether it is a fact that the District Educational Officer has replied that the school will be shifted to some other place; and

(d) what steps have been taken in connexion with this matter by the President, Taluk Board, and the District Educational Officer?

A.—(a) Yes.

(b) No.

(c) No.

(d) A building which will be accessible to Adi-Dravidas is to be erected for the school.

Mr. V. I. MUNISWAMI PILLAI:—"With reference to answer (d), may I know how long it will take to complete the building?"

The hon. Dr. P. SUBBARAYAN:—"I think that the building will be completed at the end of the next financial year."

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Action taken on the report of the Secondary Education Reorganization Committee.

* 715 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) when the Secondary Education Reorganization Committee submitted their report to the Government; and

(b) whether the Government have considered the report and decided to take any action upon it?

A.—(a) The report was received by the Government in April 1927.
(b) It is still under consideration.

Mr. A. B. SHETTY:—"May I enquire why the Government are taking such a long time for the consideration of the report?"

The hon. Dr. P. SUBBARAYAN:—"It deals with the reorganization of the whole question of secondary education; we have to take considerable trouble over the matter."

Mr. BASHEER AHMAD SAYEED:—"May I ask when they will finish their consideration?"

The hon. Dr. P. SUBBARAYAN:—"I hope orders will issue during the course of the next month."

Number of schools in South Arcot giving instruction in spinning and weaving.

* 716 Q.—Mr. R. SRINIVASA AYYANGAR: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) the number of schools (1) secondary, (2) higher elementary and (3) lower secondary under the management of the District Board or the Taluk Boards or Municipalities in South Arcot in which spinning and weaving are taught;

(b) what the capital expenditure on this branch of teaching comes to in the whole of the district; and

(c) the quantity of material produced as (1) yarn and (2) as cloth in these institutions in 1927–1928?

A.—(a), (b) & (c) The Government have no information, but will call for it.

Local Boards

Conversion of the Dornal Road into a trunk road.

* 717 Q.—Mr. B. RAMACHANDRA REDDI: With reference to the answer to question No. 149 answered on 5th September 1928, will the hon. the Minister for Education and Local Self-Government be pleased to state whether the Government have come to any decision regarding the conversion of the Dornal road into a trunk road and, if so, what it is?

A.—The Government are unable to hold out any hopes of being able to convert the Dornal road into a trunk road in the near future.

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Alleged theft of furniture of the Adi-Dravida school at Marinampalle.

*718 Q.—Mr. V. I. MUNISWAMI PILLAI: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether it is a fact that the furniture of the Taluk Board Adi-Dravida school at Marinampalle (Sankari Taluk Board) was stolen at night by caste Hindus and burnt;

(b) whether it is also a fact that the Adi-Dravida teacher lost some personal property left in the school premises; and

(c) what action, if any, was taken by the President of the Taluk Board in respect of this school?

A.—(a), (b) & (c) A copy of the report* received from the President, Taluk Board, Sankari, on the subject is placed on the table. The Government have no further information about the matter.

Mr. V. I. MUNISWAMI PILLAI:—"May I know the reasons for the furniture being stolen and burnt?"

The hon. Dr. P. SUBBARAYAN:—"I think it is pure caste prejudice."

Amendment of the Madras Local Boards Act.

*719 Q.—Mr. C. N. MUTHURANGA MUDALIYAR: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) the expenses incurred by the Government in preparing the draft Bill to amend the Madras Local Boards Act;

(b) the steps taken by the Government after eliciting opinion from the local boards;

(c) the reasons for the delay on the part of the Government in introducing a Bill to amend the Madras Local Boards Act;

(d) whether the Government propose to do away with nominations altogether in their proposed Bill; and

(e) when the Government propose to introduce the Bill to amend the Madras Local Boards Act?

A.—(a) An expenditure of Rs. 2,576–9–0 was incurred in preparing the draft Bills to amend the Madras Local Boards Act, 1920, and the Madras District Municipalities Act, 1920. It is not possible to state the exact expenditure incurred in connexion with each of the two Bills separately.

(b) & (c) Opinions of local boards were required to be submitted before 15th July 1928. Many local boards did not reply within that date. The Bill with the replies received up to date was placed before the Local and Municipal Advisory Committee at a meeting held on 15th October 1928.

(d) The attention of the hon. Member is invited to the answer given to clause (c) of question No. 562.

(e) The Bill will be introduced as soon as its provisions are finally settled.

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* Printed as Appendix I at page 259 infra.

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Mr. C. N. MUTHURANGA MUDALIYAR :—"May I know, Sir, in what respect such a large sum of money was spent for the drafting of the Bill?"

The hon. Dr. P. SUBBARAYAN :—"For the staff of the Law Drafting Under Secretary and special establishment that was provided for the drafting of the Bill."

Mr. C. N. MUTHURANGA MUDALIYAR :—"Is it proposed to continue the special staff, Sir?"

The hon. Dr. P. SUBBARAYAN :—"No, Sir."

Bifurcation of the Tindivanam and Tirukkoyilur Taluk Boards.

*720 Q.—Mr. R. SRINIVASA AYYANGAR: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether it is a fact that the Government have, in deference to the views of a large number of local bodies, abandoned the idea of abolishing taluk boards;

(b) if the answer be in the affirmative, whether the Government will consider the advisability of bifurcating the Tindivanam and Tirukkoyilur Taluk Boards in South Arcot district;

(c) whether the Government are aware that last year the Tirukkoyilur Taluk Board passed a unanimous resolution in favour of bifurcating that board and whether the same was also approved by the South Arcot District Board; and

(d) whether the Government intend to give effect to that resolution?

A.—(a) & (b) The Government have not yet come to a decision on the question of the abolition of taluk boards.

(c) Resolutions of the taluk board and district board on the subject were communicated to Government in February 1927.

(d) There is no such intention at present.

Municipal Councils

Election to the third ward of the Peddapur municipality.

*721 Q.—Mr. C. RAMASOMAYAJULU: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether the term of membership of M.R.Ry. Muppana China Veeraraju Garu, Municipal Chairman, Peddapur, expires at the end of October this year;

(b) whether he stood for election for the third ward this year;

(c) whether the vice-chairman in virtue of his powers under the Act and under the election rules arranged for the said election to be held on 10th October 1928, appointed the polling officer and made all the arrangements for the election;

(d) whether in the morning of the day of election, the chairman appointed another councillor as delegate to conduct the elections;

(e) whether the vice-chairman subsequently turned up and seeing that the polling officer was absent for unavoidable reasons notified that the election was postponed;

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(*f*) whether the chairman-delegate proceeded with the election;

(*g*) whether the time for election was notified as 7 a.m. and whether the election actually began at 7–30 a.m.; and

(*h*) whether the Government will consider the advisability of cancelling the election and directing a re-election for the said ward?

A.—(*a*) The term of office of the chairman apparently expired at noon on 1st November 1928.

(*b*) *to* (*g*) According to the information received by Government the facts appear to be correctly stated in these clauses.

(*h*) The Government have ordered a fresh poll for the third ward.

Inclusion of the Central Jail and Police Recruit School, Coimbatore, within municipal limits.

*722 *Q.*—Mr. C. V. Venkataramana Ayyangar: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(*a*) whether the Government have received a resolution dated the 5th June 1928 from the Municipal Council, Coimbatore, requesting that the decision communicated in G.O. No. 2133 L., dated 14th May 1928, be reconsidered;

(*b*) whether it is a fact that the desirability of including within municipal limits the Central Jail and Police Recruit School which are surrounded by municipal lands on all sides has been pressed by the municipality and the public of Coimbatore several times; and

(*c*) whether the Government have any intention of reconsidering the matter and, if not, why not?

A.—(*a*) No.

(*b*) Yes.

(*c*) The Government see no reason to reconsider the matter.

Mr. C. V. Venkataramana Ayyangar:—"With regard to answer (*a*), may I know whether the Government have not received any resolution, whatever the date may be, from the Coimbatore Municipality on this matter?"

The hon. Dr. P. Subbarayan:—"The answer is given in clause (*a*)."

Division of Bezwada municipality into 21 wards.

*723-A *Q.*—The Zamindar of Mirzapuram: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(*a*) whether it is a fact that, on the application of some of the citizens and councillors, the Government was pleased to pass a Government Order in 1924 that the Bezwada municipality may be divided into 21 wards and whether the Council also passed a resolution promising to give effect to it immediately; if so, why it has not been still given effect to and what action the Government have taken or proposed to take to enforce their order;

(*b*) whether it is a fact that in the voters' lists of various wards there are not more than 50 or 60 voters;

(*c*) whether it is a fact that six councillors will have to be elected in September 1928 with voters' lists of only 50 or 60 voters;

(d) whether there are now 21 elected councillors for the 10 wards; and

(e) whether instead of having 10 big wards the Government will be pleased to direct once again that Bezwada municipality be divided into 21 wards immediately as per Government Order in 1924 and to have elections accordingly ?

A.—(a) In 1923 in consequence of an increase in the number of elective seats on the Municipal Council from 18 to 21, the Government requested the Chairman to arrange for a division of the town into 21 wards. The Chairman promised to take steps accordingly, but when the matter came before the Council, the latter considered that the division of the town into 21 wards was unnecessary, and asked for a reconsideration of the order. A counter-representation from certain municipal councillors urging the division of the municipality into 21 wards was received in 1924. On reconsideration the Government finally decided that the number of wards should remain at ten as more convenient topographically and from an electoral point of view as division into 21 wards would reduce the number of voters in each ward to an undesirable extent.

(b) Only in two wards the number of voters is below 60.

(c) Six councillors were elected in September 1928 in six wards but in only one of these wards was the number of voters below 60. A number of voters have been temporarily disfranchised in the current year by the non-payment of taxes. In 1927–28 there was no ward containing less than 160 voters.

(d) Yes.

(e) The power to divide municipalities into wards has been delegated to Collectors.

Alleged refusal of the Bezwada Municipal Chairman to read the welcome address to His Excellency the Governor.

* 723-B Q.—The ZAMINDAR OF MIRZAPURAM: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether it is a fact that the Bezwada Municipal Council passed a unanimous resolution for giving a welcome address to His Excellency the Governor when he visited Bezwada on 5th December 1927 in connexion with the first Convocation of the Andhra University;

(b) whether the address was read by the Chairman of the Council, if not, why not;

(c) whether he had refused to read the address at the previous visit of His Excellency also; and

(d) what steps the Government propose to take in the matter?

A.—(a) Yes.

(b) The address was not read by the Chairman as he was absent at Masulipatam in connexion with the inquiry into petitions filed against him in connexion with his election to the Legislative Council.

(c) No. It was arranged that the Vice-Chairman should read the address.

(d) The Government do not consider that any action is called for.

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Books and Publications

Alleged seizure by the Police of Bharathi's works in the Hindi Prachar Sabha office, Triplicane.

*724-A Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that the office of Hindi Prachar Sabha, Triplicane, and a book shop in the city were searched recently and that several copies of the works of the late Subrahmanya Bharathi were seized;

(b) what was the immediate cause which led to this action;

(c) whether Government are aware that the songs, etc., included in the volumes recently seized were printed some 20 years ago and were in wide circulation all these years;

(d) whether Government can point out any new or additional literary matter in these volumes which the Government think fit to be suppressed;

(e) whether Government are aware that the widow and other survivors of the late Subrahmanya Bharathi are very poor and that such seizure of a large number of volumes would hit them badly; and

(f) whether Government will consider the question of restoring the seized volumes to the owners on their undertaking to blot out the new matter, if any, objected to by Government?

A.—(a) Yes.

(b) An order of forfeiture issued by the Government of Burma under section 99-A, Criminal Procedure Code.

(c) No.

(e) The Government have no information.

(d) & (f) The application filed by the Superintendent of the Hindi Prachar Press, Triplicane, against the order of forfeiture issued by the Government of Burma is before the High Court. The Government can make no pronouncement till this has been disposed of.

Mr. T. ADINARAYANA CHETTIYAR:—"As regards the answer to clause (c), have the Government made any attempt to get the information?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"No, Sir."

Mr. T. ADINARAYANA CHETTIYAR:—"Why Sir?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"Because the Government are not in any way interested."

Objectionable poems in the Bharathi's poetical works.

*724-B Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Law Member be pleased to state the objectionable poems in the first two volumes of Bharathi's poetical works which, in their opinion, justify the order of proscription?

A.—The application filed by the Superintendent of the Hindi Prachar Press, Triplicane, against the order of forfeiture issued by the Government of Burma is before the High Court. The Government can make no pronouncement till this has been disposed of.

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Action taken on the adjournment motion regarding Bharathi's poems.

* 724-C Q.—Mr. C. N. MUTHURANGA MUDALIYAR : Will the hon. the Law Member be pleased to state—

(a) whether he has taken or proposes to take any action on the adjournment motion carried in the Council on 9th October 1928 regarding the seizure by the Police of the poems of Subrahmanya Bharathi; and

(b) if so, what it is?

A.—(a) & (b) The Government have issued instructions to the Police not to make any seizures till further orders. They do not propose to take any further action until the High Court has disposed of the application filed by the Superintendent of the Hindi Prachar Press, Triplicane, against the order of forfeiture issued by the Government of Burma.

Mr. C. N. MUTHURANGA MUDALIYAR :—" Now that orders have been issued to suspend seizure of these books, will the Government return the copies seized already ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Not till the decision of the High Court is known."

Mr. G. HARISARVOTTAMA RAO :—" May I know, Sir, why the hon. the Law Member says that he cannot return the copies in view of the fact that he has issued orders not to make any more seizures till further orders ?"

The hon. the PRESIDENT :—" That is an argument."

Correspondence between this Government and the Burma Government regarding Bharathi's songs.

* 724-D Q.—Mr. D. NARAYANA RAJU : Will the hon. the Law Member be pleased to state—

(a) whether there was any correspondence regarding Bharathi's songs between this Government and the Burma Government before the latter ordered forfeiture of the said songs ; and

(b) if so, whether Government will be pleased to place that correspondence on the table of the House?

A.—(a) No.

(b) Does not arise.

Action taken on the adjournment motion regarding Bharathi's songs.

* 724-E Q.—Mr. S. SATYAMURTI : Will the hon. the Law Member be pleased to state—

(a) whether the Government have considered the adjournment motion carried in the Legislative Council on 9th October 1928 regarding the action of the City Police in forfeiting copies of the books containing the songs of the late Mr. C. Subrahmanya Bharathi ;

(b) whether the Government propose to cancel the order of forfeiture and return the books to the publishers ; and

(c) if not, why not?

A.—(a) to (c) The hon. Member is referred to the answer to question No. 724-C.

Action taken on the adjournment motion regarding Bharathi's songs.

* 724-F Q.—Mr. D. NARAYANA RAJU: Will the hon. the Law Member be pleased to state—

(a) what steps, if any, Government have taken to give effect to the adjournment motion carried in this Council on 9th October 1928, regarding the seizure of copies of Bharathi's songs by the Police;

(b) whether the opinion of the House and the proceedings of the debate on the subject have been communicated to the Government of Burma; and

(c) whether there has been any correspondence on the subject between this Government and the Burma Government since 9th October 1928; and, if so, whether Government will be pleased to place the same on the table of the House?

A.—(a) The Government have issued instructions to the Police not to make any seizures till further orders.

(b) No.

(c) In connexion with the application filed in the High Court by the Superintendent of the Hindi Prachar Press, Triplicane, this Government asked the Government of Burma for instructions regarding the conduct of the case. They stated in reply that the application should be opposed.

Mr. D. NARAYANA RAJU:—"May I know, Sir, whether the Madras Government have communicated the opinion of this House in this matter to the Government of Burma?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"No, Sir."

Mr. D. NARAYANA RAJU:—"Why not, Sir?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"Because the Government do not consider it necessary."

Mr. D. NARAYANA RAJU:—"May I know why the Government asked for instructions from the Government of Burma with regard to the suit pending before the High Court?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"It was on the notification of the Burma Government that the Madras Police took action."

Mr. S. SATYAMURTI:—"May I know whether, when suits are filed against this Government in the local High Court, it is usual to get instructions from another local Government?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"In this particular case the action of the Madras Police was based on the action of the Burma Government; therefore this Government thought it necessary to take instructions from the Burma Government."

Mr. S. SATYAMURTI:—"May I ask whether the Government have decided to oppose the application in the High Court?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"Yes; at the instance of the Burma Government this Government have decided to oppose the application."

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Mr. S. SATYAMURTI :—" May I know whether the Government have consulted their own law officers as to the desirability and the validity of opposing the petition in the High Court ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" No, Sir."

Mr. S. SATYAMURTI :—" Why, Sir, were they not consulted ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Because they are acting purely on the instructions of the Burma Government."

Mr. S. SATYAMURTI :—" May I enquire whether, in case the Madras Government lost the case before the High Court, the Burma Government is going to foot the Bill ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" That question will be considered hereafter."

Mr. A. KALESWARA RAO :—" May I know whether this Government have applied its mind to the seditious character of the poems ? "

The hon. the PRESIDENT :—" The question whether the poems are seditious or not, is *sub judice*."

Mr. A. RANGANATHA MUDALIYAR :—" May I know whether the Government are aware that what may be objectionable in a particular place under the conditions prevailing there may not be objectionable in another place ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" I have answered more than once that this Government are acting purely on the instructions of the Burma Government."

Mr. S. SATYAMURTI :—" May I know, Sir, whether the instructions of the Government of Burma to this Government are to oppose the application in the High Court on the ground that the whole book must be treated as seditious or only certain passages and if so, which passages ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Their instructions are to oppose the application."

Mr. A. RANGANATHA MUDALIYAR :—" What may be objectionable in Burma may not be objectionable in Madras."

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" The Madras Government are opposing the application purely because the Burma Government wanted them to do so."

Mr. S. SATYAMURTI :—" May I ask if the Government are taking the position in the High Court that the two books should entirely be proscribed or any portions thereof and if so, which portions ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" It is left to the legal advisers who appear for the Government."

Mr. S. SATYAMURTI :—" Of which Government ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" The legal advisers of this Government."

Mr. P. BHAKTAVATSULU NAYUDU :—" Have the Government no independent view in the matter ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Absolutely none ; they have not considered the question at all."

Criminal Justice

Appointment of Mr. T. Pattabhiramayya Pantulu as Public Prosecutor and Government Pleader in Ganjam.

*725-A Q.—Mr. B. RAMACHANDRA REDDI: Will the hon. the Law Member be pleased to state— 11-45 a.m.

(a) whether there is any Government Order or practice that the same person should not be appointed as Public Prosecutor and Government Pleader in the same Court or district for the third term, i.e., continuously for nine years;

(b) whether the Government are aware that Mr. T. Pattabhiramayya Pantulu has been appointed for the third time as Public Prosecutor and Government Pleader in Ganjam;

(c) what are the special qualifications and special achievements of Mr. T. Pattabhiramayya Pantulu as Government Pleader and Public Prosecutor to appoint him again for a third term; and

(d) whether the recommending authorities in the district consulted any of the vakils or the Bar Association before pushing in of the recommendation of Mr. T. Pattabhiramayya?

A.—(a) Yes. The practice is generally as suggested in the question.

(b) Yes.

(c) Both the District Magistrate and the District and Sessions Judge recommended him as best qualified for the appointment.

(d) The Government have no information.

Mr. B. RAMACHANDRA REDDI:—"May I ask if the Government will be pleased to call for a report from the District Judge, Ganjam, as regards the number of eligible pleaders and advocates in the Ganjam bar for the place of Public Prosecutor?"

The hon. Diwan Bahadur M KRISHNAN NAYAR:—"The Government will consider my friend's suggestion, Sir, when the time for the next appointment comes."

Mr. K. KOTI REDDI:—"May I know then what is the good of this rule of ordinarily not selecting a man for the third time if the best man is to be always appointed? The rule implies that if the man is qualified, though not the best, he is to be appointed?"

The hon. the PRESIDENT:—"I am afraid the hon. Member is arguing."

Appointment of Mr. T. Pattabhiramayya Pantulu as Public Prosecutor and Government Pleader in Ganjam before the expiry of his term of office.

*725-B Q.—Mr. B. RAMACHANDRA REDDI: Will the hon. the Law Member be pleased to state—

(a) when the last term of Mr. T. Pattabhiramayya Pantulu as Public Prosecutor and Government Pleader in Ganjam expired;

(b) when the report of the District Magistrate reached the Government about the vacancy and when the Government passed orders reappointing Mr. T. Pattabhiramayya Pantulu;

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(c) the reasons why the Government were in a hurry to make the appointment before the term of Mr. T. Pattabhiramayya actually expired; and

(d) whether it is a fact that Mr. W. O. Newsam wrote a demi-official letter to the then Law Member to expedite passing orders about his appointment ?

A.—(a) 17th June 1928.

(b) & (c) The recommendations of the District Magistrate and the District and Sessions Judge, Ganjam, were submitted to Government on the 16th April 1928, as the District and Sessions Judge would be away when the office of Government Pleader and Public Prosecutor was to terminate, namely, during the recess of his Court which commenced on the 30th April 1928. The orders of Government thereon were passed on the 17th April 1928.

(d) No.

Forests

Appointment of a committee to enquire into the grievances of ryots in forest areas.

* 726 Q.—Mr. A. B. Shetty: Will the hon. the Law Member be pleased to state whether the Government propose to appoint a committee to enquire into the grievances of the ryots in forest areas in accordance with the resolution passed in the Council on the 6th September 1928?

A.—The hon. Member's attention is invited to the answer given to Legislative Council Question No. 559 on 12th October 1928. The matter is still under consideration.

Mr. A. B. Shetty:—"May I know whether the appointment of the committee itself is under consideration or the terms of reference?"

The hon. Diwan Bahadur M. Krishnan Nayar:—"The appointment of the committee itself is under consideration."

Mr. A. Kaleswara Rao:—"May I know how long it will be under consideration?"

The hon. Diwan Bahadur M. Krishnan Nayar:—"I cannot say, Sir."

Railways

Schemes for the extension of railway communications by the South Arcot District Board.

* 727 Q.—Mr. Basheer Ahmad Sayeed: Will the hon. the Member for Finance be pleased to state—

(a) whether the District Board of South Arcot has any and if so, what interest in the profits, control and administration of the new railway line opened between Cuddalore and Vriddachalam; and

(b) whether the District Board of South Arcot had at any time put forth any scheme or schemes to extend the railway communications on its own responsibility within the district, and if so, what became of such schemes eventually?

A.—(*a*) The District Board has agreed to guarantee the Railway Board against loss, if any, arising out of the construction and working of the line. The repayment to the District Board of the guarantee paid by it will be a first charge on any net profits that may be derived from the line should it prove remunerative. The District Board has no control over the line or its administration.

(*b*) Within the last 25 years, the District Board proposed the construction of the following lines out of its funds :—

(1) Cuddalore-Vriddhachalam.
(2) Ulundurpet to Chinnasalem *via* Kallakurichi.
(3) Extension of No. (2) to the district frontier.
(4) Cuddalore-Pondicherry.

Items (2) and (3) did not materialise.

Item (1) has been constructed by the Government of India.

Item (4) has been included in the Railway programme and will be constructed from Imperial funds.

Rao Bahadur K. Sitarama Reddi :—" In regard to item (4) in clause (*b*), may I know when the line will be taken up for actual construction I mean the Cuddalore-Pondicherry line ? "

The hon. Mr. T. E. Moir :—" It depends upon the railway programme. I cannot say."

Labour

Action taken on the recommendations of the Unemployment Committee.

* 728 Q.—Mr. A. B. Shetty : Will the hon. the Home Member be pleased to state what steps have been taken by the Government to give effect to the recommendations of the Unemployment Committee ?

A.—The recommendations of the Unemployment Committee which relate mainly to educational reforms and the popularizing of agriculture as a means of livelihood are under the consideration of the departments concerned. Final decisions have not yet been made.

Mr. A. B. Shetty :—" May I know when the Government will come to a decision in the matter ? "

The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur :—" It is not possible for me to say at present."

Police

Alleged interference of the Police in the Calicut municipal elections.

* 729 Q.—Mr. K. Madhavan Nayar : Will the hon. the Home Member be pleased to state—

(*a*) whether his attention has been drawn to the complaints made by the nationalist as well as the moderate and loyalist papers in Calicut about the repeated and improper interference by the Police of Calicut in the municipal elections there ;

(*b*) whether Mr. C. Krishnan, the Editor of the *Mitavadi*, had made any such complaint to the local authorities and whether any enquiry has been made thereon; and

(*c*) whether the Government will consider the desirability of warning the Calicut Police against such interference in future?

A.—(*a*) No.

(*b*) The Government have no information.

(*c*) The Government are unaware of any necessity for such a warning.

Floods

Floods in the Vizagapatam district.

* 730-A *Q.*—Mr. C. Ramasomayajulu: Will the hon. the Member for Revenue be pleased to state—

(*a*) the number and names of villages in the Vizagapatam district affected by the recent rains and floods;

(*b*) whether the floods were the result of the rains in the hills or whether they were also due to the breaches of any tanks;

(*c*) the extent of damage with reference to

(i) loss of human life,
(ii) loss of cattle,
(iii) loss of crops,
(iv) loss of houses,
(v) loss of roads and communications,
(vi) loss of irrigation sources;

(*d*) whether the Government have received any reports from the local officers about the damage and if so, whether the same will be placed on the Council table;

(*e*) whether any relief measures have been taken or proposed to be taken to give relief in the affected area; and

(*f*) whether the Government have sanctioned any contributions towards relief of the affected area in the Vizagapatam district?

A.—(*a*) 'Affected' is a somewhat general term. The Collector's report mentions places where serious damage was caused by the floods.

(*b*) *to* (*f*) The hon. Member is referred to the report [a] of the Collector of Vizagapatam, dated 7th November 1928, and the Government orders [a] on the subject that have been placed on the table of the House.

Damages by floods in Peddapur, Tuni and other taluks in East Godavari district.

* 730-B *Q.*—Mr. C. Ramasomayajulu: Will the hon. the Member for Revenue be pleased to state—

(*a*) whether on account of the recent rain and floods there was heavy damage in the Peddapur, Pithapur, Tuni, Cocanada and Ramachandrapur taluks of the East Godavari district;

[a] Laid on the table on the 26th November 1928.

(b) whether the inundation was due to the breaches of any tank and if so which;

(c) whether the breaches were involuntary or purposely caused by the people for letting out water;

(d) the number and names of villages evacuated and those partially affected;

(e) the extent of the crops submerged and washed away;

(f) the extent of loss in live-stock;

(g) the extent of roads breached or otherwise damaged; and

(h) the extent of damage caused by the interception of village communications and roads?

A.—(*a*) *to* (*g*) The Collector's report,[a] dated 9th November 1928, which has been placed on the table of the House, contains the latest information that has been received on the various matters referred to.

(*h*) The Government are unable to estimate consequential damage of this character.

Damage to crops by floods in the East Godavari district.

*730-C *Q.*—Mr. C. Ramasomayajulu: Will the hon. the Member for Revenue be pleased to state—

(*a*) whether it is a fact that crops in certain villages have been completely damaged in the Cocanada, Pithapur, Tuni, Peddapur and Ramachandrapur taluks of the East Godavari district on account of the recent rains and floods;

(*b*) whether a detailed report of the extent of damage done to the crops on account of the recent rains and floods has been received by the Government; and if so, whether the same will be placed on the table of the House; and

(*c*) whether the Government propose to grant remission of land revenue and water-tax to the affected lands?

A.—(*a*) & (*b*) The hon. Member is referred to the report[a] of the Collector of East Godavari, dated 9th November 1928, which has been placed on the table of the House.

(*c*) Remissions if necessary will be granted in accordance with the rules on the subject.

Mr. C. Ramasomayajulu:—"May I know if the Government are aware, with reference to the damage caused by the recent floods, that large tracts of land have been sanded up? Will they call for a report in the matter?"

The hon. Sir Norman Marjoribanks:—"If large tracts of land have been sanded up, they will get remission. I do not know why the hon. Member puts this question."

Mr. C. Ramasomayajulu:—"Because the reports already published do not mention this?"

The hon. Sir Norman Marjoribanks:—"Instructions will be issued in the matter of remission."

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[a] Laid on the table on the 26th November 1928.

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Extent of damages by floods in Cocanada.

*730-D Q.—Mr. C. RAMASOMAYAJULU: Will the hon. the Member for Revenue be pleased to state—

(a) the number of streets in the City of Cocanada and its suburbs that suffered on account of the Yeleru floods during the recent rains;

(b) the number of houses that were washed and the number of those that collapsed; and

(c) the extent of damage caused to goods and timber stocked in factories and warehouses?

A.—(a), (b) & (c) The Government have not the details asked for. The Collector has been asked to report them if he has collected such information or to report such estimates as it is practicable to make.

Widening of the Yeleru bridge at Cocanada.

*730-E Q.—Mr. C. RAMASOMAYAJULU: Will the hon. the Member for Revenue be pleased to state—

(a) whether, with reference to the answer given to question No. 1406 answered on 25th January 1928, the Government are considering any scheme for the effective drainage of water; and

(b) whether, in view of the immense inundation experienced this year, the Government will take steps to concert measures sufficient not only to drain away the water in normal times but also to drain away the large quantity of inundation water during the period of north-east monsoon which has to pass along Yeleru every year?

A.—(a) No such scheme has so far been devised.

(b) So far it has not been found practicable to devise measures as suggested. The question will be again investigated in connexion with the recent floods but the prospects of finding a workable plan are not bright.

Mr. C. RAMASOMAYAJULU:—"I take it, Sir, that the answer to clause (b) of the question is that a scheme will be considered to drain the water?"

The hon. Sir NORMAN MARJORIBANKS:—"We have directed the matter to be investigated, Sir."

Extent of damages by floods in the East Godavari district.

*730 F Q.—The ZAMINDAR OF GOLLAPALLI: Will the hon. the Member for Revenue be pleased to state—

(a) the extent of damages caused by the recent rains in the East Godavari district;

(b) the number of families that have been rendered homeless;

(c) the value of the various crops that have been submerged in the flood;

(d) the action taken by the Government to give relief to the sufferers; and

(e) the amount that the Government propose to spend thereon?

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A.—(*a*), (*c*), (*d*) & (*e*) The hon. Member is referred to the report [a] of the Collector of East Godavari, dated 9th November 1928, and the Government orders [a] on the subject that have been placed on the table of the House.

(*b*) The number of houses that have fallen is about 4,459. The Government have no information as to the number of families that have been rendered homeless.

Damages by floods in the Vizagapatam and East Godavari districts.

*730-G *Q.*—Mr. S. Satyamurti : Will the hon. the Member for Revenue be pleased to state—

(*a*) the extent of the damage caused by the recent floods in the Vizagapatam and Godavari districts to the people especially the agriculturists ;

(*b*) the extent and nature of the help given by the State so far to relieve the consequent distress ; and

(*c*) whether the Government propose to institute an inquiry into the causes of these disasters by flood and ascertain how far they are preventable, and if not, why not ?

A.—(*a*) & (*b*) The attention of the hon. Member is invited to the reports [a] and the Government orders [a] on the subject which have been placed on the table of the House.

(*c*) So far as the information received by the Government goes, the floods and the consequent damage were the direct result of abnormally heavy rain. The Government therefore at present do not see that any useful result can be expected from an enquiry such as that suggested.

Relief to the people affected by floods in the East Godavari district.

*730-H *Q.*—Mr. C. Ramasomayajulu : Will the hon. the Member for Revenue be pleased to state in connexion with the devastation caused by rains and inundation in the East Godavari district—

(*a*) what steps the Government have decided to take to give relief to

(i) people who are rendered homeless on account of the houses being washed away or collapsing,

(ii) people whose cattle are washed away,

(iii) people who suffered by reason of the crops being washed away or otherwise devastated, and

(iv) people whose goods and merchandise were washed away, submerged or otherwise deteriorated ;

(*b*) whether the Government propose to take up any works already sanctioned as famine-relief works and thereby give relief to the working classes ; and

(*c*) whether the Government propose to sanction a special grant for relief in the distressed area ?

A.—(*a*) & (*c*) The hon. Member is referred to the report [a] of the Collector of East Godavari, dated 9th November 1928, and the Government orders [a] on the subject that have been placed on the table of the House.

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[a] Laid on the table on the 26th November 1928.

(b) The Government do not consider that such a course is necessary. The carrying out of repairs to the damaged works should provide employment to all who need it.

Land Acquisition

Extension of the village of Attaiyampatti in Salem taluk.

* 731 Q.—Mr. V. I. Muniswami Pillai: Will the hon. the Member for Revenue be pleased to state—

(a) whether petitions were received by the Collector of Salem from the Adi-Dravida villagers of Attaiyampatti (Salem taluk) to acquire a few acres of the surrounding land for village extension as at present the village is overcrowded;

(b) whether he is aware that three and four families are dumped in each single-roomed hut and that the caste Hindus have fenced the village; and

(c) what steps the Collector of Salem has so far taken in these matters?

A.—(a), (b) & (c) The Government have no information about the case. A copy of the question and answer is being sent to the Collector of Salem.

Mr. V. I. Muniswami Pillai:—"Will the hon. the Member for Revenue be pleased to call for a report and place it on the table of this House?"

The hon. Sir Norman Marjoribanks:—"Report on what point, Sir? Will the hon. Member kindly let me know on what point he wants a report?"

Mr. V. I. Muniswami Pillai:—"Whether there is a real difficulty for the depressed classes in getting lands for living?"

The hon. Sir Norman Marjoribanks:—"I shall do so, if the hon. Member wishes it; but we will merely know what I am afraid we all know already."

Land Revenue

Cultivation of crops in Markapur taluk from April to September 1928.

* 732 Q.—Mr. G. Harisarvottama Rao: Will the hon. the Member for Revenue be pleased to state in regard to the villages in the Dornal, Dupad and Markapur firkas of the Markapur taluk and Venkatadripalem and Kolukula villages of the Yerragondapalem firka of the same taluk in the Kurnool district—

(a) what the rainfall was from the 1st of April 1928 to the 15th of September 1928;

(b) what the crops sown were between these dates;

(c) what the area sown was for every crop;

(d) what the percentage of such area was to the average extent of area under each crop; and

(e) whether any part of the cultivated area has been re-tilled and if so, how much?

A.—(a) to (e) The hon. Member is referred to the District Gazettes for the period, where he will find reported the rainfall recorded at Markapur. In regard to the rainfall in the villages referred to and the particulars called for in clauses (b), (c), (d) and (e),

information is not available in any existing return or report and would have to be specially compiled from the village accounts. The Government regret they do not know of any reason that would justify their ordering such compilation.

Mr. G. Harisarvottama Rao :—"May I know whether about the end of September the Collector in his weather report mentioned that in these particular firkas there was want of necessary rain for the crops? Are the Government aware of that?"

The hon. Sir Norman Marjoribanks :—"I cannot say from memory, Sir."

Cultivation of crops in Pattikonda taluk from April to September 1928.

* 733 Q.—Mr. G. Harisarvottama Rao : Will the hon. the Member for Revenue be pleased to state in regard to every village of the Pattikonda and Maddikara firkas of the Pattikonda taluk—

(*a*) what the rainfall was from the 1st of April up to the 15th of September 1928;

(*b*) what area was cultivated up to the 15th of September 1928 under each crop;

(*c*) whether any area was recultivated during the period from 1st April to the 15th of September 1928 and, if so, what the extent of the area was; and

(*d*) what the average area is that is usually cultivated during this season under each crop?

A.—(*a*) *to* (*d*) The hon. Member is referred to the District Gazettes for the period, where he will find reported the rainfall recorded at the rain-gauge station of Pattikonda. In regard to the rainfall in the other villages referred to and to the particulars called for in clauses (*b*), (*c*) and (*d*), information is not available in any existing return or report and would have to be specially compiled from the village accounts. The Government regret they do not know of any reason that would justify their ordering such compilation.

Mr. G. Harisarvottama Rao :—"May I know if the Government are prepared to find out if the fact stated by me is true and if that is true, whether they will make enquiries as to the conditions of the season in those areas?"

The hon. Sir Norman Marjoribanks :—"If it is suggested that we should make a special enquiry as to the state of the season, the answer is 'yes'."

Revision of the South Kanara District Manual.

*734 Q.—Mr. A. B. Shetty : Will the hon. the Member for Revenue be pleased to state—

(*a*) when the South Kanara District Manual was last published; and

(*b*) whether the Government propose to revise it and make it up to date?

A.—(*a*) In 1894 and 1895.

(*b*) The hon. Member's attention is invited to the answer to clause (*c*) of question No. 312 given at the meeting of 8th September 1928.

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Minor Irrigation

Transfer of minor irrigation supervisors.

* 735 Q.—Mr. C. V. VENKATARAMANA AYYANGAR: Will the hon. the Member for Revenue be pleased to state—

(a) whether there is any practice at present of transferring minor irrigation supervisors from one district to another and, if so, how many of them have been transferred within the last five years and if not, why;

(b) if there is no such practice or rule, whether the Government have any objection to consider the desirability of making a rule that no supervisors should remain in the same district for more than three years; and

(c) how many supervisors have remained in the same district as supervisors for more than (1) five years, (2) ten years and (3) fifteen years?

A.—(a) & (c) Collectors are competent to appoint Minor Irrigation supervisors. The Government have no information how many supervisors have been transferred from district to district or have remained in the same district for any length of time.

(b) There is no rule preventing the transfer of Minor Irrigation supervisors from one district to another at any time. The Government are not aware of the necessity for making a rule as suggested. It would seem on the contrary to be an advantage that a man should remain long in an area where his accumulated experience and local knowledge would be useful.

Mr. C. V. VENKATARAMANA AYYANGAR:—"With reference to the answer to clauses (a) and (c), may I know whether the Government will be pleased to call for information if there has been even one transfer of such a nature?"

The hon. Sir NORMAN MARJORIBANKS:—"I do not see any object in doing so."

Mr. C. V. VENKATARAMANA AYYANGAR:—"With reference to clause (b), may I know which authority has to transfer these people if there is no rule preventing it?"

The hon. Sir NORMAN MARJORIBANKS:—"The Board of Revenue."

Mr. C. V. VENKATARAMANA AYYANGAR:—"May I know whether the hon. Member is taking steps to see that no man in all the departments under him is transferred from his district so that his experience and knowledge may not be lost to that district?"

The hon. Sir NORMAN MARJORIBANKS:—"No, Sir; the same considerations do not apply to all departments."

Public Service

Total savings effected by Government Orders regarding unpassed men in public service.

* 736 Q.—Mr. BASHEER AHMAD SAYEED: Will the hon. the Member for Revenue be pleased to state what is the total saving in money effected by Government from the time the several Government Orders on the question of unpassed men in public service were enforced, and what is the amount thus saved in each department of Government?

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A.—The hon. Member does not state the precise Government Orders he has in mind. The various orders passed on the subject of unpassed men had not as any part of their object the effecting of "savings". The position was that the already existing rules governing the recruitment, pay and promotion of unpassed men had been to a considerable extent disregarded or misunderstood by the various departments and it was therefore necessary to restate and enforce them. It cannot therefore be correctly said that any "saving" was effected by these orders.

Mr. P. BHAKTAVATSULU NAYUDU :—"It cannot be said that no saving has been effected at all all these years? Was there really no saving effected all these years?"

The hon. Sir NORMAN MARJORIBANKS :—"That is asking the same question in another form; and the same answer applies."

Mr. P. BHAKTAVATSULU NAYUDU :—"It is stated here that 'rules governing . . . unpassed men had been to a considerable extent disregarded or misunderstood . . . and it was therefore necessary to restate and enforce them.' Is it on account of the want of merit of the men or want of efficiency in the departments that the Government considered it necessary to restate and enforce the rules?"

The hon. the PRESIDENT :—"The answer is already on paper."

Extension of the privileges now conceded to depressed classes to those who had entered service as Indian Christians, etc.

* 737 *Q.*—Rao Sahib R. SRINIVASAN : Will the hon. the Member for Revenue be pleased to state—

(*a*) whether it is a fact that members of the depressed classes entered into educational institutions and Government services, stating that they were caste Hindus or Indian Christians to save despicability as untouchables; and

(*b*) when such students or men in service declare their real caste and religion, whether Government propose to alter its records that they may get the concessions and privileges granted to the depressed classes at present?

A.—(*a*) No such cases have been brought to notice.

(*b*) The case will be considered when it arises.

Revenue Establishments

Appointment of an additional Treasury Deputy Collector to the Chatrapur Treasury.

* 738-A *Q.*—Diwan Bahadur P. C. ETHIRAJULU NAYUDU : Will the hon. the Member for Revenue be pleased to state—

(*a*) for how long the Berhampur division will be under a Deputy Collector, being a division usually held by a member of the Indian Civil Service;

(*b*) the reasons for appointing an additional Treasury Deputy Collector to the Chatrapur Treasury;

(*c*) whether Mr. Seshagiri Rao Pantulu has too much other revenue work to need assistance;

(*d*) whether the District Collector recommended the appointment of an additional Treasury Officer to assist Mr. Seshagiri Rao Pantulu and the reasons for such recommendations;

(*e*) whether an additional Treasury Deputy Collector was ever appointed before for Chatrapur Treasury;

(*f*) what is the amount of money transacted during the last two years 1925–26 and 1926-27 at Chatrapur Treasury and what is the extent of the same in the previous five years;

(*g*) whether the Government are aware that there is a branch of the Imperial Bank of India at Berhampur; and

(*h*) whether all financial transactions could not be done by and through the Bank and abolish the Treasury at Chatrapur?

A.—(*a*) An I.C.S. officer has since been posted to Berhampur division.

(*b*), (*c*) & (*d*) Mr. Seshagiri Rao Pantulu referred to in clause (*c*) is the permanent Treasury Deputy Collector, Ganjam. An additional Deputy Collector was required for a period of two months from 1st September 1928 to relieve the permanent Treasury Deputy Collector to enable him to conduct the annual inspection of the sub-treasuries in the district. Sriman D. Mahanty Mahasayo was accordingly posted as additional Treasury Deputy Collector, Ganjam, for this purpose.

(*e*) Yes. An additional Treasury Deputy Collector is usually appointed whenever the permanent Treasury Deputy Collector is engaged on the inspection of sub-treasuries.

(*f*)—

Year.	Receipts.			Disbursements.		
	RS.	A.	P.	RS.	A.	P.
1920–21	1,35,54,810	2	8	1,35,16,815	14	4
1921–22	1,35,13,800	5	8	1,35,72,836	2	1
1922–23	1,28,62,799	5	5	1,29,84,100	10	5
1923–24	1,73,36,416	4	8	1,74,44,026	5	0
1924–25	2,04,08,271	6	10	2,04,87,806	8	8
1925–26	2,00,34,488	7	0	2,00,77,574	14	9
1926–27	2,08,89,870	1	0	2,09,12,057	2	6

(*g*) Yes.

(*h*) No. The Bank only receives Government dues and makes disbursements for Government. It does not maintain the necessary special accounts or conduct the audit required by Government. The establishment of a branch of the Imperial Bank at a district headquarters does not enable Government to abolish a treasury. It only results in the reduction of the treasury branch and leaves unaffected the audit and account branches under the Treasury Deputy Collector.

Tenure of the present Deputy Collector in charge of the Ganjam Treasury in Chatrapur.

* 738-B *Q*.—Mr. B. Ramachandra Reddi: Will the hon. the Member for Revenue be pleased to state—

(*a*) for how long the present Deputy Collector in charge of Ganjam Treasury has been in Chatrapur; and

(*b*) for how long the Berhampur division will be under Deputy Collector, a division usually held by a member of the Indian Civil Service?

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A.—(*a*) The present Treasury Deputy Collector, Ganjam, has been in charge of the Ganjam Treasury from 20th August 1924 with short breaks on account of leave.

(*b*) The hon. Member is referred to the answer to clause (*a*) of question No. 738-A.

Appointment of an additional Treasury Deputy Collector to Chatrapur Treasury.

* 738-C *Q.*—Mr. B. RAMACHANDRA REDDI: Will the hon. the Member for Revenue be pleased to state—

(*a*) the reasons for appointing an additional Treasury Deputy Collector to the Chatrapur Treasury;

(*b*) whether an additional Treasury Deputy Collector was ever appointed before for Chatrapur Treasury;

(*c*) what is the amount of money transacted during the last two years 1925–26 and 1926–27 at Chatrapur Treasury and what is the extent of the same in the previous five years;

(*d*) whether the Government are aware that there is a branch of the Imperial Bank of India at Berhampur; and

(*e*) why all financial transactions could not be done by and through the Imperial Bank thereby abolishing the Treasury at Chatrapur?

A.—(*a*) to (*e*) The hon. Member is referred to the answer to clauses (*b*) and (*e*) to (*h*) of question No. 738-A.

Deputy Tahsildars in Ganjam, Vizagapatam and Guntur districts.

* 739-A *Q.*—Diwan Bahadur P. C. ETHIRAJULU NAYUDU: Will the hon. the Member for Revenue be pleased to state—

(*a*) the number, qualifications and the community to which the acting and permanent Deputy Tahsildars in the Ganjam, Vizagapatam and Guntur districts belong;

(*b*) whether it is a fact that there is great disproportion between Brahman and non-Brahman Deputy Tahsildars in the district of Ganjam; and

(*c*) whether the Government propose to take steps to recruit and promote qualified non-Brahmans as Deputy Tahsildars in the Ganjam, Vizagapatam and Guntur districts?

A.—(*a*) & (*b*) The hon. Member is referred to the Revenue Establishment lists of the districts corrected up to 1st April 1928 which are available for reference in the Secretariat Library.

(*c*) The hon. Member's attention is invited to G.O. No. 613, Public, dated 16th September 1921, and to G.O. No. 658, Public, dated 15th August 1922, regarding communal representation in the Public Service. These Government Orders have been published. Rules to regulate recruitment to the subordinate services are under the consideration of Government and in that connexion Government will consider whether the rules should provide for the recruitment of different communities provided qualified persons are available. Such rules however will not be confined to the district mentioned in the question nor to the community mentioned.

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Acting and permanent Tahsildars in Ganjam district.

* 739-B Q.—Mr. B. RAMACHANDRA REDDI : Will the hon. the Member for Revenue be pleased to state—

(a) the number, qualifications and the community to which each of the acting and permanent Deputy Tahsildars in the Ganjam district belongs;

(b) whether the Government propose to take steps to recruit and promote qualified non-Brahmans as Deputy Tahsildars in the Ganjam district; and

(c) the number and communities of Tahsildars in the Ganjam district, acting and permanent?

A.—(a) & (c) The hon. Member's attention is invited to the answer to clauses (a) and (b) of question No. 739-A.

(b) The hon. Member is referred to answer to clause (c) of question No. 739-A.

Selection of a probationary revenue inspector in Ganjam district.

* 740-A Q.—Diwan Bahadur P. C. ETHIRAJULU NAYUDU : Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that the Collector of Ganjam district called for applications in the district gazette for the selection of a probationary revenue inspector;

(b) how many applications there were for the place and what are the communities they belong to; and

(c) whether the District Collector personally met the applicants and examined them or appointed a committee to examine the fitness of the candidates?

A.—(a) Yes—in the *Ganjam District Gazette* for July 1928.

(b) Nineteen—

2 Oriya Brahmans.
2 Oriya non-Brahmans.
7 Telugu Brahmans.
1 Christian.
1 Muhammadan.
6 Telugu non-Brahmans.

(c) The Collector saw those of the candidates who presented themselves in person. He did not appoint a committee.

Selection of a probationary revenue inspector in Ganjam.

* 740-B Q.—Mr. B. RAMACHANDRA REDDI : Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that the Collector of Ganjam district called for applications in the district gazette for selection of a probationary revenue inspector;

(b) if so, how many applications there were for the place and what were the communities they belonged to;

(c) whether the District Collector personally met the applicants and examined them or appointed a committee to examine the fitness of the candidates;

(d) the necessary qualifications for a probationary revenue inspector;

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(e) whether the son of Mr. Seshagiri Rao Pantulu, a native of Godavari West, was appointed by the District Collector as probationary revenue inspector in the Ganjam district; and

(f) what are the superior qualifications of this candidate over other candidates; and whether the Government will be pleased to call for a report?

A.—(a), (b) & (c) The hon. Member is referred to the answer given to question No. 740-A.

(d) The hon. Member is referred to the answer given to clause (b) of the question No. 1344 asked in the Legislative Council on 10th February 1926.

(e) M.R.Ry. D. Basavaraju, B.A., son of M.R.Ry. D. Seshagiri Rao Pantulu Garu, Treasury Deputy Collector, Ganjam, was appointed as probationary revenue inspector.

(f) The Collector considered this candidate to be the most suitable of the applicants. The information given to these questions has been reported by Collector in reply to a call from Government for a report.

Public Service

Communal representation in public service.

*740-C *Q.*—Mr. S. SATYAMURTI: Will the hon. the Member for Revenue be pleased to state—

(a) whether in supersession or in modification of the existing Government Orders on the subject any fresh orders have been issued or are proposed to be issued by this Government regulating either recruitment to, or promotion in Government services on communal grounds;

(b) if so, the terms or principles of those orders; and

(c) the reasons why such orders have been or are proposed to be issued?

A.—(a), (b) & (c) In 1921 the Government accepted at the instance of the Legislative Council the principle that the several communities should find representation in the public service and issued orders that officers making appointments should follow this principle. Orders were also issued for the compilation and presentation of returns to this House showing the result of these instructions. It has been repeatedly asserted in this House and outside it that these orders have been ineffective and inoperative and it is a fact that the returns compiled to exhibit the effect of the orders do not show that there has been much change in practice in the years since the order was issued. Accordingly when considering the rules to be framed under the Civil Services (Governors' Provinces) Delegation Rules, 1926, for regulating the conditions of service of Provincial and subordinate services and special posts the question of giving effect to the orders referred to above has also been dealt with. In the case of those services where the requirement of special or technical qualifications does not make any rule of communal recruitment unworkable, it has generally been prescribed that recruitment shall be regulated by the following rules:

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(1) (*a*) If qualified and suitable candidates are available in each community officers shall be appointed so that the proportion of appointments made from each community may, out of every 12 posts, be as follows :—

Non-Brahmans (Hindu)	5
Brahmans	2
Muhammadans	2
Anglo-Indians and Christians (including Europeans)	2
Others (including depressed classes) ...	1
Total ...	12

(*b*) such appointments shall be made in the following order :—

(1) Non-Brahman (Hindu).
(2) Muhammadan.
(3) Non-Brahman (Hindu).
(4) Anglo-Indian or Christian.
(5) Brahman.
(6) Non-Brahman (Hindu).
(7) Others (depressed classes).
(8) Non-Brahmin (Hindu).
(9) Muhammadan.
(10) Non-Brahman (Hindu).
(11) Anglo-Indian or Christian.
(12) Brahman.

(*c*) If a qualified and suitable candidate of a particular community is not forthcoming in the turn allotted to that community the appointment shall be made of a candidate belonging to the next community specified in clause (*b*) above if he is otherwise qualified and suitable for appointment, and a qualified and suitable candidate belonging to the former community will have a preferential claim to appointment on the next occasion when it is made.

(2) The starting point of the rotation laid down in paragraph (1) (*b*) shall be determined by the last appointment made at the date of the order, e.g., if the last appointment was of a Non-Brahman (Hindu) the rotation will be considered to have begun at No. (1), if a Muhammadan at No. (2), if an Anglo-Indian or Christian at No. (4), if a Brahman at No. (5), if an officer of the depressed classes at No. (7).

The term 'recruitment' covers selection from a subordinate service or transfer from other departments as well as first appointment; but the general rule above does not apply to promotions within a service.

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Mr. S. SATYAMURTI :—"May I know with regard to the first sentence of the answer whether that principle is or is not modified or intended to be modified by the Government both in theory and in practice, by these circumstances, viz., that other conditions should be equal and minimum standards of efficiency and qualification should be enforced ?"

The hon. Sir NORMAN MARJORIBANKS :—"It is subject to that condition, Sir."

Mr. S. SATYAMURTI :—"Then, Sir, with regard to the next sentence which says: 'it is a fact that the returns compiled to exhibit the effect of the orders do not show that there has been much change in practice in the years since the order was issued' may I know on what materials this opinion of the Government is based, and whether they will place any facts or figures before this House to show that the Government are justified in this opinion that there has not been much change in practice in the years subsequent to the date of the order ?"

The hon. Sir NORMAN MARJORIBANKS :—"Based on facts and statements placed on the table."

Mr. S. SATYAMURTI :—"With regard to the next sentence, as regards the powers of this Government to frame, under the Civil Services Delegation Rules, these regulations and conditions of service, may I know whether the Government took the opinion of their legal advisers as to whether the previous sanction of the Government of India was or was not necessary for this Government to frame these rules ?"

The hon. Sir NORMAN MARJORIBANKS :—"Does the hon. Member refer to the rules that follow, Sir."

Mr. S. SATYAMURTI :—"Yes, Sir ?"

The hon. Sir NORMAN MARJORIBANKS :—"They are not statutory rules, Sir."

Mr. S. SATYAMURTI :—"It is said here: 'Accordingly when considering the rules to be framed under the Civil Services Delegation Rules, 1926, for regulating the conditions of service of provincial and subordinate services and special posts, the question of giving effect to the orders referred to above has also been dealt with . . . and it has generally been prescribed that recruitment shall be regulated by the following rules:' With regard to these rules which purport to be made by this Government in pursuance of the power vested in them under the Civil Services Delegation Rules, I am asking whether the Government took the opinion of their legal advisers as to whether the previous sanction of the Government of India was or was not necessary in this matter ?"

The hon. Sir NORMAN MARJORIBANKS :—"The first sentence says: 'when considering the rules to be framed under the Delegation Rules, . . . the question of giving effect to the orders referred to above has also been dealt with'. This was not intended to mean that these rules were made as rules under that delegation; but that that was the occasion for the consideration of the question."

Mr. S. SATYAMURTI :—"May I know under what power these rules were made by the Local Government ?"

The hon. Sir NORMAN MARJORIBANKS :—"The power of making appointments."

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Mr. S. SATYAMURTI :—" With regard to these rules, Sir, governing not only their initial appointments but also, as the second paragraph of the second clause points out, selection appointments and transfer appointments, and with reference to those selection and transfer appointments which govern existing and accruing rights of members of the provincial and subordinate services that are reserved for them under these Delegation Rules and that can be affected only with the previous sanction of the Government of India and with regard to the members who are already there, may I know whether the Government have taken legal opinion as to whether they can, in the exercise of their normal rights of appointment to these services, make these rules affecting such accrued rights? I want to know under what power the Government are acting."

The hon. Sir NORMAN MARJORIBANKS :—" I do not admit the major premises of the question, Sir."

Mr. S. SATYAMURTI :—" May I know whether with regard to this proportion of 5 Non-Brahmans, 2 Brahmans, 2 Muhammadans, 2 Anglo-Indians and Christians including Europeans and others including depressed classes 1, there is any method in this madness, any principle behind it?"

The hon. the PRESIDENT :—" The hon. Member may put his question without characterizing it as madness."

Mr. S. SATYAMURTI :—" I am sorry, Sir. I want to know whether there is any principle in this proportion?"

The hon. Sir NORMAN MARJORIBANKS :—" The principle is to give representation in proportion, very roughly, to the population."

Mr. C. V. VENKATARAMANA AYYANGAR :—" May I know if the Government have satisfied themselves that these officers who have been superseded will have no claim for compenstaion?"

The hon. Sir NORMAN MARJORIBANKS :—" I do not think the presumption of supersession is correct."

Mr. C. V. VENKATARAMANA AYYANGAR :—" May I know whether it is not a fact that seniors in particular grades will, in cases of promotion under the new Government Order, have their claims superseded by people below them simply on account of the communal preference?"

The hon. Sir NORMAN MARJORIBANKS :—" No, Sir; nobody has a claim to be enrolled in a service superior to that he is now in."

Mr. C. V. VENKATARAMANA AYYANGAR :—" I am now dealing with the question of promotions in the same service, Sir. This evidently applies to promotion also, if I understand the answer correctly. If in the case of promotions, this order is given effect to, as I take it it will be, I want to know whether in such cases of making promotions on the communal basis, the Government have satisfied themselves that they will not be liable to the officers whose claims are superseded on this account and whether those officers will not be entitled to compensation?"

The hon. Sir NORMAN MARJORIBANKS :—" I will invite the hon. Member's attention to the last sentence of the answer, Sir, that 'the general rule above does not apply to promotions within a service."

The hon. the PRESIDENT :—" As the time allotted for questions is now over, the Council will take up the next order of the day."

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II

ADJOURNMENT MOTION RE THE EMPLOYMENT OF MR. NATARAJAN FOR WATCHING THE MILLS AND BUILDINGS OF THE CARNATIC PAPER MILLS.

Mr. SAMI VENKATACHALAM CHETTI :—"Sir, under Standing Order No. 20 I beg leave to make a motion for the adjournment of the business of the House to discuss a definte matter of urgent public importance, namely, the question of the employment of Mr. Natarajan on Rs. 650 per mensem for merely watching the machinery and buildings of the Carnatic Paper Mills." 12 noon.

Mr. G. HARISARVOTTAMA RAO :—"I second it, Sir."

The hon. the PRESIDENT :—"I wish to know what the urgency is?"

Mr SAMI VENKATACHALAM CHETTI :—"The whole question arose from the answers now given. We were not aware of the Government spending a sum of Rs. 650 on this appointment."

The hon. the PRESIDENT :—"That may be a recent event. I want to know the urgency of the matter."

Mr. SAMI VENKATACHALAM CHETTI :—"The urgency is that Government may take prompt action to stop further payment of money to Mr. Natarajan."

The hon. the PRESIDENT :—"Do you hope to convince the Government?"

Mr. SAMI VENKATACHALAM CHETTI :—"I hope so, Sir."

Mr. S. SATYAMURTI :—"At least the House."

The hon. Mr. M. R. SETURATNAM AYYAR :—"The Government see no urgency about the matter. In my opinion, the matter is not at all urgent. The Government have permitted Mr. Natarajan to supervise the mill and he has been working at it for more than a month. Therefore, the matter is not at all urgent."

Dr. B. S. MALLAYYA :—"This is the first time we meet after that arrangement. We want to know how the Government are interested in Mr. Natarajan."

The hon. the PRESIDENT :—"I think the motion is in order. The motion is to discuss a matter of urgent public importance, to wit, the employment of Mr. Natarajan on Rs. 650 per mensem for merely watching the mills and buildings of the Carnatic Paper Mills.

"Has the hon. Member the leave of the House?

"Since no objection is taken, the hon. Member has the leave of the House and it will be taken up to-morrow at 2-30 p.m."

III

THE JAINA SUCCESSION BILL.

Mr. K. R. KARANT :—"Mr. President, I beg to present the Report [a] of the Jaina Succession Bill as amended by the Select Committee and move that the Bill as amended be taken into consideration."

Mr ABDUL HAMID KHAN :—"I second it, Sir."

The hon. the PRESIDENT :—"The question is that the Jaina Succession Bill be taken into consideration."

[a] Printed as Appendix II at pages 259—261 infra.

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The motion was put to the House and carried.

* The hon. the PRESIDENT :—" I now put the clauses of the Bill to the vote of the House. The question is that clauses 1 to 6 of the Bill do stand part of the Bill."

The motion was put to the House and adopted.

* The hon. the PRESIDENT :—" I now put the Preamble to the vote of the House. The question is that the preamble do stand part of the Bill."

The motion was put and adopted.

* Mr. K. R. KARANT :—" I beg to move that the Bill be now passed into law. In making this motion I beg to say a few words. This is a piece of social legislation relating in my district to the community of Jains, which numbers at the last census only about 8,153. It has been the desire of this community that they should come under the ordinary Hindu law, whereas at present they are governed by a system of law known as the Aliyasantana law, by which the property goes from a person to his sister and sister's children and not to his wife or son. This is very similar to what is known as the Marumakkattayam law which is prevalent in Malabar. The community, Sir, has been agitating over this matter. Owing to this system they are not able to mix with other Jains in other parts of the country. The House is aware that the Jains in other parts of India are governed, at any rate, by case law and by the ordinary system of Hindu law. So far as case law goes including some decisions of the Privy Council, they are governed by the ordinary Hindu law. Now, they find that they are not able to marry outside their own district, with the result that there is a good deal of endogamy. We find that this small community were once the rulers of the district; even to-day, they are a very wealthy and landed community. I find from the travels of Buchanan in 1801, there were 14,092 Jains out of a total population of $3\frac{1}{2}$ lakhs in the southern division of Kanara but we find a steady deterioration from 1801 up to now. In 1891 they were 10,000, i.e., a loss of 4,000 people, though the population in the district has been always increasing. In 1901, they were only 9,500; in 1911 they were 8,883 and in 1921 they were 8,000 out of a total population of $12\frac{1}{2}$ lakhs. That is, in the course of a century and 20 years they have decreased in population from 14,000 to 8,000, that is very nearly half, with the result that the community has been so much agitated over this question that in 1918 they sent a memorial to the Government to pass some legislation by which they could be brought under the ordinary Hindu law. They also said . . ."

The hon. the PRESIDENT :—" I am afraid the hon. Member is not in order. At the third reading stage of the Bill he is making a speech appropriate at the first reading stage."

Mr. K. R. KARANT :—" Sir, then, I do not wish to take much time of the House, but I will only say that the community is very thankful to this House for the interest it has taken in this Bill and particularly to Government and more particularly to the hon. the Advocate-General who helped us very much during the Select Committee stage by his amendments. I hope that this House will pass this Bill into law without any dissent."

Mr. BASHEER AHMAD SAYEED :—" I second it, Sir."

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* The hon. the PRESIDENT :—" The question is that the Bill be passed into law."

The motion was put to the House and carried and the Bill was passed into law.

IV

A BILL TO AMEND THE MADRAS ABKARI ACT, 1886.

Mr. J. A. SALDANHA :—" Sir, I beg to present the Report [a] of the Select Committee appointed to consider the Bill to amend the Madras Abkari Act, 1886, and move that the Bill as amended by the Select Committee be taken into consideration."

Mr. P. C. VENKATAPATI RAJU :—" I second it."

* The hon. the PRESIDENT :—" The question is that the Bill be taken into consideration."

* The hon. Mr. S. MUTHIAH MUDALIYAR :—" Mr. President, the report of the Select Committee was circulated only on the 22nd November and there is also one other thing, Mr. President, i.e., that the Bill itself was published only in September and three months have to elapse under the provisions of Standing Order No. 44. I take objection, Mr. President, that fourteen days have not elapsed since the circulation of the report of the Select Committee and three months have not elapsed after publication of the Bill. I assure you, Sir, that it is not the object of the Government to put off the consideration of the Bill, and this may be put down for the next sittings. Moreover, I was informed by Mr. Saldanha that he wanted an adjournment."

* The hon. the PRESIDENT :—" I think Government have considered the expediency of raising this objection which is based on the non-expiry of three months time from the date of publication of the Bill and the absence of fifteen days notice of the Select Committee report. If the Government fully realized the expediency of raising the objection based on these grounds I should certainly consider whether I should exercise my discretion one way or the other."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" Mr. President, the Government did consider and that is why the objection is being pressed now."

The hon. the PRESIDENT :—" What is the inconvenience to Government on account of short notice under both the heads? I ask for this information as I have to use my discretion after being convinced of the difficulties faced by Government."

* The hon. Mr. S. MUTHIAH MUDALIYAR :—" The difficulty faced by Government on this occasion is that the Select Committee's report was placed in our hands only on the 22nd and on enquiries made in the Legislative Council office as to whether this Bill would come up for discussion during this meeting, we were informed that the office had not heard anything about it. Of course, there is no rule which requires the author of the Bill to give such notice, but rightly or wrongly, we thought that, as the report of the Select Committee was circulated only on the 22nd, the Bill would not come up for consideration now. Moreover, there are some important points on which Government have to come to some conclusion and I was informed also this morning by the hon. the Mover that he wanted an adjournment."

[a] Printed as Appendix III on pages 262–265 infra.

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* The hon. the PRESIDENT (addressing Mr. Saldanha) :—"Does the hon. Member require an adjournment of the matter?"

* Mr. J. A. SALDANHA :—"I don't object to his application for adjournment for this reason. At present, we find that the Select Committee's report was placed only on the 22nd in our hands. And, there are some important papers which were placed before the Select Committee . . ."

The hon. the PRESIDENT :—"We shall go into the question later on. I now want to know whether the hon. Member is in favour of adjournment of the consideration of the Bill"

Mr. J. A. SALDANHA :—"Yes, Sir."

* The hon. the PRESIDENT :—"Since the hon. Mover as well as the Government is in favour of adjournment, I use my discretion in allowing the objection."

V

A BILL TO AMEND THE MADRAS DISTRICT MUNICIPALITIES ACT, 1920.[a]

* Mr. A. KALESWARA RAO :—"Mr. President, I beg to move that leave be granted for referring the Bill to amend the Madras District Municipalities Act, 1920, to a select committee composed of more than fifteen members under Standing Order No. 40 (2)."

Mr. K. R. KARANT :—"I second it, Sir."

* The hon the PRESIDENT :—"The question is that the provisions of Standing Order No. 40 (2) be suspended. I take it that the House is ready for a vote."

The motion was put to the House and carried.

Mr. A. KALESWARA RAO :—"I beg to move that the Bill be referred to a select committee composed of the following members :—

(1) The hon. Dr. P. Subbarayan.
(2) The hon. the Advocate-General.
(3) Mr. A. Kaleswara Rao.
(4) ,, P. Anjaneyulu.
(5) ,, Abdul Hamid Khan Sahib.
(6) ,, K. V. R. Swami.
(7) ,, K. R. Karant
(8) ,, J. A. Davis.
(9) ,, S. Satyamurti.
(10) Diwan Bahadur S. Kumaraswami Reddiyar.
(11) Rao Bahadur B. Muniswami Nayudu.
(12) Mr. S. Arpudaswami Udayar.
(13) ,, Daniel Thomas.
(14) Rao Bahadur C. S. Ratnasabapathi Mudaliyar.
(15) Mr. R. Srinivasa Ayyangar.
(16) ,, K. R. Venkatarama Ayyar.
(17) ,, L. K. Tulasiram.
(18) ,, S. Venkiah.
(19) The Zamindar of Gollapalli.
(20) Mr. K. Uppi Sahib.
(21) Swami A. S. Sahajanandam.
(22) Mr. T. M. Narayanaswami Pillai."

Mr. K. R. KARANT :—"I second it, Sir."

[a] Published in the *Fort St. George Gazette*, dated 6th November 1928, as Bill No. 17 of 1928.

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* The hon. the PRESIDENT :—" The question is that the Bill be passed into law."

The motion was put to the House and carried and the Bill was passed into law.

IV

A BILL TO AMEND THE MADRAS ABKARI ACT, 1886.

Mr. J. A. SALDANHA :—" Sir, I beg to present the Report [a] of the Select Committee appointed to consider the Bill to amend the Madras Abkari Act, 1886, and move that the Bill as amended by the Select Committee be taken into consideration."

Mr. P. C. VENKATAPATI RAJU :—" I second it."

* The hon. the PRESIDENT :—" The question is that the Bill be taken into consideration."

* The hon. Mr. S. MUTHIAH MUDALIYAR :—" Mr. President, the report of the Select Committee was circulated only on the 22nd November and there is also one other thing, Mr. President, i.e., that the Bill itself was published only in September and three months have to elapse under the provisions of Standing Order No. 44. I take objection, Mr. President, that fourteen days have not elapsed since the circulation of the report of the Select Committee and three months have not elapsed after publication of the Bill. I assure you, Sir, that it is not the object of the Government to put off the consideration of the Bill, and this may be put down for the next sittings. Moreover, I was informed by Mr. Saldanha that he wanted an adjournment."

* The hon. the PRESIDENT :—" I think Government have considered the expediency of raising this objection which is based on the non-expiry of three months time from the date of publication of the Bill and the absence of fifteen days notice of the Select Committee report. If the Government fully realized the expediency of raising the objection based on these grounds I should certainly consider whether I should exercise my discretion one way or the other."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" Mr. President, the Government did consider and that is why the objection is being pressed now."

The hon. the PRESIDENT :—" What is the inconvenience to Government on account of short notice under both the heads ? I ask for this information as I have to use my discretion after being convinced of the difficulties faced by Government."

* The hon. Mr. S. MUTHIAH MUDALIYAR :—" The difficulty faced by Government on this occasion is that the Select Committee's report was placed in our hands only on the 22nd and on enquiries made in the Legislative Council office as to whether this Bill would come up for discussion during this meeting, we were informed that the office had not heard anything about it. Of course, there is no rule which requires the author of the Bill to give such notice, but rightly or wrongly, we thought that, as the report of the Select Committee was circulated only on the 22nd, the Bill would not come up for consideration now. Moreover, there are some important points on which Government have to come to some conclusion and I was informed also this morning by the hon. the Mover that he wanted an adjournment."

[a] Printed as Appendix III on pages 262–265 infra.

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* The hon. the PRESIDENT (addressing Mr. Saldanha) :—" Does the hon. Member require an adjournment of the matter?"

* Mr. J. A. SALDANHA :—" I don't object to his application for adjournment for this reason. At present, we find that the Select Committee's report was placed only on the 22nd in our hands. And, there are some important papers which were placed before the Select Committee . . ."

The hon. the PRESIDENT :—" We shall go into the question later on. I now want to know whether the hon. Member is in favour of adjournment of the consideration of the Bill"

Mr. J. A. SALDANHA :—" Yes, Sir."

* The hon. the PRESIDENT :—" Since the hon. Mover as well as the Government is in favour of adjournment, I use my discretion in allowing the objection."

V

A BILL TO AMEND THE MADRAS DISTRICT MUNICIPALITIES ACT, 1920.a

* Mr. A. KALESWARA RAO :—" Mr. President, I beg to move that leave be granted for referring the Bill to amend the Madras District Municipalities Act, 1920, to a select committee composed of more than fifteen members under Standing Order No. 40 (2)."

Mr. K. R. KARANT :—" I second it, Sir."

* The hon the PRESIDENT :—" The question is that the provisions of Standing Order No. 40 (2) be suspended. I take it that the House is ready for a vote."

The motion was put to the House and carried.

Mr. A. KALESWARA RAO :—" I beg to move that the Bill be referred to a select committee composed of the following members :—

(1) The hon. Dr. P. Subbarayan.
(2) The hon. the Advocate-General.
(3) Mr. A. Kaleswara Rao.
(4) ,, P. Anjaneyulu.
(5) ,, Abdul Hamid Khan Sahib.
(6) ,, K. V. R. Swami.
(7) ,, K. R. Karant
(8) ,, J. A. Davis.
(9) ,, S. Satyamurti.
(10) Diwan Bahadur S. Kumaraswami Reddiyar.
(11) Rao Bahadur B. Muniswami Nayudu.
(12) Mr. S. Arpudaswami Udayar.
(13) ,, Daniel Thomas.
(14) Rao Bahadur C. S. Ratnasabapathi Mudaliyar.
(15) Mr. R. Srinivasa Ayyangar.
(16) ,, K. R. Venkatarama Ayyar.
(17) ,, L. K. Tulasiram.
(18) ,, S. Venkiah.
(19) The Zamindar of Gollapalli.
(20) Mr. K. Uppi Sahib.
(21) Swami A. S. Sahajanandam.
(22) Mr. T. M. Narayanaswami Pillai."

Mr. K. R. KARANT :—" I second it, Sir."

a Published in the *Fort St. George Gazette*, dated 6th November 1928, as Bill No. 17 of 1928.

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* The hon. the PRESIDENT :—"The motion has two aspects, viz., whether the Bill is to be referred to a Select Committee and secondly the names of the members of the Select Committee. I wish to know whether the Government propose to oppose the motion of reference to the Select Committee." 12-15 p.m.

The hon. Dr. P. SUBBARAYAN :—"Yes, I want to oppose the motion."

* The hon. the PRESIDENT :—"It will be convenient to discuss the question of reference to a select committee first."

The hon. Dr. P. SUBBARAYAN :—"I was rather taken by surprise by my hon. Friend moving this. It was only yesterday that he had a talk with me and I told him that this would have to be adjourned. But it is his look-out and I have nothing to say on this matter. And the only thing I have got to submit to the House is that the Government have got a Bill to amend the Madras District Municipalities Act and this Bill has been referred to the various district municipalities to secure their opinion and we are slowly receiving their opinions. I have also referred this Bill to the municipalities because I do not know what the opinion of the municipal chairmen and the municipal councillors will be on this Bill. I know some of the amendments of the Government are original and a few of my hon. Friend's amendments are even more original. I hope to place the Bill before the House after we have taken the opinion of the municipalities, which are coming in large numbers and they will be placed before a committee of members of this House, some of whom are those who have had some experience."

Mr. C. V. VENKATARAMANA AYYANGAR :—"In what century? (Laughter.)

The hon. Dr. P. SUBBARAYAN :—"I am sorry my hon. Friend interrupts me. I may tell him that we are now moving in quick times and so a century may be a minute now. (Laughter.) Under these circumstances I must oppose the reference of this Bill to a select committee."

* Mr. S. SATYAMURTI :—"Sir, we have a Minister in power who has produced nothing; and judging from what was done during the last two years I challenge him whether he has produced any first-class legislation, any first-class Bill He has not, because he cannot, he dare not. For every gesture he must seek the help and advice of those sitting behind him, of those sitting on both his sides and of those sitting below the gangway; and the result is that he has not produced a single piece of legislation. As regards the University Bill we saw yesterday that we had half-finished it. The other half remains and I do not know how long it will take and you know well to whom the framing of this Bill is due. You know as well as I do, that the Government with its army of officers, to wit, secretaries, assistant secretaries, superintendents and Law (Drafting) officers, have not been able to place their amendments before us. I have occasionally urged, and I prefer to urge once more, that that Bill will not be before the House but for our using the slender resources of us on this side of the House. Therefore I suggest to the hon. the Minister who lives in glass-house, not to throw stones at others. The Madras University Bill came from this side of the House and then my hon. Friend, brought in another amending Bill. The exception proves the rule. We are willing to help the hon. the Minister, and this present Bill is one such, and we get a reply that it is a measure on which his heart is set. When the time comes to assess the work of this ministry one

of their most damaging failures will be that their legislative programme has been absolutely barren. This is not the first time hon. Members on this side of the House have attempted to bring in amendments to the District Municipalities and Local Boards Acts. Whenever any such motion is made, instead of grasping the proffered help, the hon. the Minister says Government are considering the amendment of the Elementary Education Act, the City Municipal Act, the Local Boards Act, the Madras District Municipalities Act, the Hindu Religious Endowments Act, the safeguarding of Industries Act, and so on. I fear there are at least eight or nine Bills which the Government have been considering during the last two years and as far as I can see they have not made any progress and at the next meeting of the Council they will say they are still considering the matter. (Laughter.) Do you know why, Sir? The hon. the Minister knows that he has no party and therefore when he wants the Local Boards Act amended, he goes to the boards themselves and asks them 'Will you oblige me by committing suicide'. He approaches the taluk boards and says 'Will you, my fellow, commit suicide by signing the warrant of death?'. I submit, Sir, this is not the action of a responsible Minister having a party behind him and posing as the custodian of the interests of local self-government; I submit my Friend cannot go one inch forward with regard to the local boards. He appoints committees and sub-committees and every day the newspapers abound with pungent criticism of the authors of the Bill. I must say here that all the district boards including that of the district from where the hon. Member, now sitting near to the Minister, comes (laughter) have all condemned the Bill as unwarranted. Is this House going to listen to the argument trotted out by the Minister and vote against this Bill being referred to a select committee? My hon. Friend from Bezwada takes pains, collects materials, drafts a Bill, it goes into the gazette, it is published for open public criticism, and when he brings it into this House to have it referred to a Select Committee, my hon. Friend does not examine a provision of it, does not say what is wrong with it, but simply and quietly gets up and says Government have got a similar Bill. This House therefore is tamely invited to commit legislative suicide Sir, private Members work under very great handicap in this House as they do in all other Houses. When a private Member by a sheer accident succeeds in piloting a Bill, and when it has passed all the preliminary stages and comes to the stage of being referred to a select committee, is it fair, is it right for the Government to oppose it, not on its merits, not because a particular clause of the Bill is defective but on the simple and sole ground that another Bill is going to be brought by the Government! That is an argument which I hope this House will not accept. A Government must either govern or resign. If it wants to govern it must legislate. My hon. Friend has got his own views on all these matters. If he cannot enforce those views, why should he not make room for others but also stand in the way of the Opposition taking the initiative? My hon Friend is not the only elected Member. We too are elected Members and we have constituencies behind us. We shall put forward what we consider to be best in the interests of the country so that the electors may know what we shall do when we were in power. It is strange that the electors should send their representatives to the legislature and when they come here they should be obstructed and opposed by the Government not on the ground of merits but on the barren ground that the Government also intend to bring forward a measure of the sort, knowing full well that it cannot do so. Under these circumstances is it right, is it

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chivalrous, for the hon. the Minister not to allow the Member for Bezwada to try his chance in the House, so that he will have the satisfaction that he has placed his views and we would have the satisfaction that but for the Government obstruction we would have succeeded, the Government themselves having no programme at all? Sir, this is a serious outrage on the fundamental rights of this House and I hope every Member will rise in revolt and support the reference of this Bill to a Select Committee."

* Mr. J. A. SALDANHA :—"I would not advise the Mover to withdraw, merely because the Chief Minister promises to bring forward a similar Bill. I brought a Bill to amend the Elementary Education Act but on the suggestion of the Chief Minister I withdrew it, because of his comprehensive Bill. I regret very much now for having done so (laughter) because the Government Bill will not see the light at all. I intend therefore to bring mine again. I am afraid the Chief Minister Dr. Subbarayan is suffering from barrenness in legislation. There is in the House an unholy alliance between the Justice party and the Ministerialist party. My Friend, the Chief Minister, was once a member of the Justice party. He kicked it hard, very hard and broke out from it as if it were a Justicide. He has now combined with it or the Justice party joined him to do no good, no justice to the country in regard to legislation or in regard to anything. The only piece of big feat they have performed is the communal service order. I am not going to discuss the merits of this Bill. Those who read the Statement of Objects and Reasons will be persuaded that it is high time that we should carry out some drastic changes in our municipal law. The Chief Minister promises much, but he is impotent. There is a conflict in his own party. There is a conflict between the Justice party and his party. So the hon. Minister cannot please everybody, and if he brings 12-30 p.m. forward any measure, that would be pleasing nobody. So our party has made up its mind to bring forward all the Bills which this Ministry is competent but unable to bring. I have already introduced more than one Bill, I have two Bills on hand. I have given notice of another Bill. I am sure it will be competent to this Party to carry on legislation which this Ministry will not be able to pass without incurring the displeasure of the country. We will have sooner or later to go before the electorates for their franchise. The Ministerialists as also the Justice party will have to go before the electorate. We shall go before them with our record of legislation. We may be defeated in our attempts at legislation. Never mind. But the country will see that we have got noble objects and noble ideals and can carry them out if given power to do so."

* Mr. G. HARISARVOTTAMA RAO :—"Mr. President. Sir, I am keenly sorry that the hon. the Chief Minister should have brushed aside this proposal in a very cavalier fashion. He has not given thought to the question as to whether the Bill that has been presented is a Bill that deals with one or two details only or a Bill that is really comprehensive If he has the patience to go through the objects and reasons and explanation of the clauses he would find that my hon Friend from Kistna has made a special study of the subject and has introduced a comprehensive scheme of amendment of this particular Act. The Chief Minister seems to be under the peculiar impression that the Government must have the last word on all these matters, and the initiative must always come from the Government. It is a very fallacious position to take up, and it is very fallacious in a

constitution like this because the Minister himself works under a great many handicaps. He ought to have considered his own position very carefully. He ought to have realized the responsibility that he owes to the country in a more careful manner than he has hitherto chosen to pursue. He knows that he has been unable to do anything in this matter for a long time past. He came into office two years ago. It is now the third year almost that he is living as a Minister, and from the beginning of his term it has been evident that this House wanted an amendment of the District Municipalities Act. From time to time he has made promise after promise to amend this particular piece of legislation or another particular piece of legislation. From time to time amendments have been suggested on the floor of this House. As long as the amendments were in regard to minor details, he might have said, 'I am bringing forward a more comprehensive Bill. This is a mere detail, and my comprehensive Bill includes this detail. Therefore, I object to a committee being appointed'. But now, Sir, I do not understand the rationale of his objection at all. It is open to him even to-day, when the Select Committee has been appointed, to get opinions on this very Bill from the bodies that he wants to consult and refer all these opinions to the Select Committee for scrutiny, examination and such use as the Select Committee may make of that evidence. If he desires to amend the Bill in any particular manner differently from my friend from Kistna, it is open to him to bring in amendments and incorporate his Bill into the Bill that has been moved by my friend from Kistna. Under these circumstances, I am afraid, Sir, that the hon. the Chief Minister is relying too much upon his position as Chief Minister, and too much upon our weakness in our not having a majority to throw him out of office. He is really playing with this House in these matters. He has evinced no responsibility at all and it is time that he carefully thought about it for his own reputation. I am not threatening him, I know that he does not care for threats from this side, but I would advise him to take care of his own reputation, his administration having been so barren of results. He cannot go on so light-heartedly brushing aside the necessities of national development. As a matter of fact, the Municipalities Act has been crying for amendment, and no amendment has been effected, not even the slightest amendment; not even an amendment of any detail has been achieved by this Government. I do not propose to survey any further the conduct of the Chief Minister in regard to legislation. Suffice it to say that if he opposes the reference of this particular piece of amending legislation to a Select Committee, he is merely ignoring the existence of a body of men who have a right to press on his attention the neglect of his own duty to introduce measures of amelioration for the good of the country. He cannot presume to be omniscient and he cannot presume to think of the Opposition in terms of mere negligence. I therefore feel, Sir, that this motion should stand and that the Chief Minister should be told to correct himself."

* Mr. A. KALESWARA RAO :—" Mr. President, of course yesterday I had a little private conversation with my friend the hon. the Chief Minister. If he meant to convey that he would introduce his Bill before the next meeting and both the Bills are to go together, I have, of course, no objection whatever. But if he simply asks me to take the consequences of opposition, I am prepared to do so. If this Bill goes by a majority of votes, I am prepared to face the consequences.

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"With regard to the Bill, Sir, the District Municipalities Act as we all know was passed in 1920 by Lord Willingdon's Government just before the Reformed Councils were formed and in the teeth of opposition of the elected Members of the Council and also in spite of their request that it might be taken up by the Reformed Council in 1921. And it contains a lot of provisions which are now in urgent need of repeal. Since that time the Reformed Councils have come in existence with elected majorities. Of course in 1920 we all know that the nominated Members were in the majority. We naturally expected that the Local Boards Act and the District Municipalities Act would be democratized and more freedom given to them as pointed out in the Montagu-Chelmsford Report. That report says, 'there should be as far as possible complete popular control in the local bodies and the largest possible independence for them of outside control.' Those are the lines they indicated as to the progress of local self-government in India. On these lines it was expected that the Reformed Council would bring in amendments to the Acts passed in 1920. But seven years have elapsed without such attempts having been made. Of course, once a comprehensive Bill was attempted to be brought in by the Raja of Panagal, but for some reason or other it was dropped. Now we are at the fag end of the third Reformed Council. Shall we not remove the shackles and restrictions that are existing in the case of these local bodies, remove nominations, remove the control and influence and supervision of the District Collector who is the chief representative of the Reserved side of the Government, and effect reforms in various directions? I drafted the Bill as early as July or August 1927, but on account of my having elected to give preference in the ballot to the Andhra University Bill which was more concerned with my locality, this was postponed to November of that year, but subsequently owing to the Congress ban it could not be moved. Afterwards I gave notice of it, and not only was leave given for its introduction but it was introduced. Now at this stage I would request the House to give a chance to this Bill and to consider its provisions. Of course, I do not claim perfection for my Bill. I have tried to suggest for the Select Committee gentlemen with much municipal experience on various points and also others who are interested in the question of the reservation of seats to minority communities, and improvements may be made in the Select Committee. The hon. the Chief Minister has recently circulated the draft Bill to amend the Municipalities Act. In two matters his Bill and my Bill agree, that general triennial elections to municipal councils should be introduced instead of the present annual elections of one-third by rotation, and also the removal of the disqualification of women on the ground of sex for election to municipal councils. As regards the question of nominations we have differed. He says that nominations should be abolished so far as all other communities are concerned, but he wants that three supernumerary members selected from the European and Anglo-Indian communities and also some Government officials should be nominated by Government for Muslims, Indian Christians and . . ."

* The hon. the PRESIDENT:—"I do not think the hon. Member need go into the details of the Bill."

* Mr. A. KALESWARA RAO:—"The Bill is already before the municipal councils. With regard to other things, the hon. Minister has made it

more reactionary I am sorry to observe. For instance, provincialization has been extended to other municipal servants also. He also wanted that the machinery for preparing the electoral rolls and conducting elections should be transferred to the revenue officials, and also that more power should be given for the abolition of councils, etc. These are the only provisions in his Bill, and there are a number of provisions in that with regard to the levy of taxes. Therefore what I beg to submit to this House is this, that my Bill touches a number of sections which are not touched by his Bill. Therefore I cannot introduce the provisions that I want to bring forward in my Bill, by
12-45 p.m. way of amendments to his Bill. His Bill touches some sections and my Bill touches some other sections, and therefore it will be in fairness that his Bill and mine should both be considered by the same committee. I do not see the reasonableness of the position taken up by the hon. Minister in opposing my motion. I therefore submit that this Bill should go before a Select Committee and when the Minister introduces his Bill that should also go before the same Select Committee."

The hon. Dr. P. SUBBARAYAN :—" Mr. President, I am much obliged to the lecture of my hon. Friend for the University; I have been accustomed to his lecture not now, but for the last 18 years. My hon. Friend is carrying his class room manners also into the Legislative Council, with what success everybody knows. (Mr. S. Satyamurti: I cannot follow your method of Walpole.) My friend said that my term of office is barren of legislation. It may be so. Circumstances may be such that more legislation has not been possible to be introduced. My friend was entirely mistaken in his idea that the Local Boards and Municipalities Bills are not going to see the light of day. I can assure him that before we meet for the next session, it is very likely that my Bill will be ready for introduction. (A voice: What about Religious Endowments?) I am only dealing with the Local Boards and Municipalities Bills. We will come to Religious Endowments later on. Considering the points of my hon. Friend (Mr. Kaleswara Rao), there are certain grounds on which my Bill and his agree. He said that some of the provisions of my Bill were reactionary. I am glad to hear from no less a person than Mr. Venkatapati Raju that some of the provisions of Mr. Kaleswara Rao's Bill are also reactionary."

Mr. G. HARISARVOTTAMA RAO :—" On a point of order, is the hon. the Minister in order in mentioning on the floor of the House what happened in whispers outside."

The hon. the PRESIDENT :—" It is not at all the concern of the hon. Member. The hon. Minister is quite in order."

The hon. Dr. P. SUBBARAYAN :—" Thank you, Sir. As I was saying, my Bill will be ready for introduction very likely at the beginning of the next session. I have also stated to my hon. Friend that the points in my Bill with which he is in disagreement will be considered by the Committee. I thought he was satisfied with my answer, and he also agreed not to press this motion. Now that he has chosen to press this motion, I have no other alternative but to oppose his motion to send this Bill to a Select Committee."

The question that the Bill be referred to a Select Committee was put and declared carried.

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The hon. Dr. P. Subbarayan demanded a poll, and the House divided thus :—

Ayes.

1. Mr. V. Ramjee Rao.
2. ,, Sami Venkatachalam Chetti.
3. ,, S. Satyamurti.
4. ,, C. V. Venkataramana Ayyangar.
5. ,, T. Adinarayana Chettiyar.
6. ,, P. Anjaneyulu.
7. ,, P. C. Venkatapati Raju.
8. ,, J. A. Saldanha.
9. ,, Abdul Hamid Khan.
10. ,, C. S. Govindaraja Mudaliyar.
11. ,, G. Harisarvottama Rao.
12. ,, C. N. Muthuranga Mudaliyar.
13. ,, K. V. R. Swami.
14. K. P. V. S. Muhammad Meera Ravuttar Bahadur.
15. Mr. D. Narayana Raju.
16. Dr. B. S. Mallayya.
17. Mr. K. Uppi Sahib.
18. ,, K. R. Karant.
19. ,, M. Narayana Rao.
20. ,, C. Obi Reddi.
21. ,, A. Parasurama Rao.
22. ,, C. Ramasomayajulu.
23. Basheer Ahmad Sayeed Sahib Bahadur.
24. Mr. P. Bhaktavatsulu Nayudu.
25. Mr. A. Kaleswara Rao.
26. ,, R. Srinivasa Ayyangar.
27. ,, K. Koti Reddi.
28. ,, L. K. Tulasiram.
29. ,, C. Marudavanam Pillai.
30. ,, K. V. Krishnaswami Nayakar.
31. ,, K. Madhavan Nayar.
32. ,, C. Venkatarangam Nayudu.
33. ,, B. Venkataratnam.
34. ,, K. S. Sivasubrahmanya Ayyar.
35. ,, A. Ranganatha Mudaliyar.
36. Diwan Bahadur R. N. Arogyaswami Mudaliyar.
37. Mr. C. R. Parthasarathi Ayyangar.
38. ,, T. C. Srinivasa Ayyangar.
39. ,, P. Siva Rao.
40. ,, K. R. Venkatarama Ayyar.
41. ,, K. P. Raman Menon.
42. ,, C. Gopala Menon.
43. ,, B. Ramachandra Reddi.
44. Diwan Bahadur P. C. Ethirajulu Nayudu.
45. Rao Sahib S. Ellappa Chettiyar.
46. Diwan Bahadur A. M. M. Murugappa Chettiyar.
47. Kumara Raja of Venkatagiri.

Noes.

1. The hon. Sir Norman Marjoribanks.
2. ,, Khan Bahadur Sir Muhammad Usman Sahib Bahadur.
3. ,, Mr. T. E. Moir.
4. ,, Diwan Bahadur M. Krishnan Nayar.
5. ,, Mr. M. R. Seturatnam Ayyar.
6. ,, Mr. S. Muthiah Mudaliyar.
7. ,, Dr. P. Subbarayan.
8. Rao Bahadur C. V. Anantakrishna Ayyar.
9. Khan Bahadur Muhammad Bazl-ul-lah Sahib Bahadur.
10. Mr. H. A. Watson.
11. ,, C. A. Souter.
12. ,, S. H. Slater.
13. ,, A. McG. C. Tampoe.
14. ,, C. W. E. Cotton.
15. ,, V. Ch. John.
16. ,, M. A. Manikkavelu Nayakar.
17. Syed Tajudin Sahib Bahadur.
18. Mr. A. B. Shetty.
19. ,, J. Bheemayya.
20. ,, J. A. Davis.
21. ,, R. Foulkes.
22. Mahmud Schamnad Sahib Bahadur.
23. Mr. J. Kuppuswami.
24. Subadar-Major S. A. Nanjappah Bahadur.
25. Mr. T. M. Narayanaswami Pillai.
26. ,, K. Krishnan.
27. ,, N. Siva Raj.
28. ,, M. V. Gangadhara Siva.
29. ,, V. I. Munuswami Pillai.
30. ,, W. P. A. Soundarapandia Nadar.
31. ,, Daniel Thomas.
32. Rai Sahib M. Hampayya.
33. The Zamindar of Singampatti.
34. Rao Sahib R. Srinivasan.
35. Mr. Kenneth Kay.
36. ,, W. O. Wright.
37. ,, R. J. C. Robertson.
38. ,, H. F. P. Hearson.
39. Rajkumar S. N. Dorai Raja.
40. Mr. S. Arpudaswami Udayar.
41. ,, K. Ramachandra Padayachi.
42. ,, G. R. Premayya.
43. Swami A. S. Sahajanandam.
44. Mr. P. T. Rajan.
45. Khan Bahadur S. K. Abdul Razack Sahib Bahadur.
46. Muhammad Khadir Mohidin Sahib Bahadur.

Neutral.

1. Mr. S. Venkiah.
2. Diwan Bahadur S. Kumaraswami Reddiyar.
3. Rao Bahadur K. Sitarama Reddi.
4. The Zamindar of Mirzapuram.
5. Mr. A. V. Bhanoji Rao.

Ayes 47. Noes 46. Neutral 5.

The motion was carried. (There were loud cheering and cries of 'shame' from the opposition benches, and 'resign, resign from Mr. Satyamurti'.)"

The hon. the PRESIDENT :—" Now the House will take into consideration the second part of the question, viz., the members of the select committee"

Mr. P. BHAKTAVATSULU NAYUDU :—" I move that the following names be added to the list of Members of the Select Committee :—

Mr. C. S. Govindaraja Mudaliyar.

Mr. Basheer Ahmad Sayeed.

V. Ramjee Rao and myself."

Dr. B. S. MALLAYYA :—" I second it."

The motion was put and carried.

Mr. A. KALESWARA RAO :—" I move that the two following names be added to the list :—

Mr. S. N. Dorai Raja and Mr. J. A. Saldanha."

Mr. R. SRINIVASA AYYANGAR :—" I second it."

The hon. the PRESIDENT :—" I don't think the hon. Member will be in order in moving an amendment to his own motion."

Mr. V. RAMJEE RAO :—" I move that the following members be added to the list :—

Mr. V. I. Muniswami Pillai.

Mr. M. V. Gangadhara Siva."

Rao Sahib R. SRINIVASAN :—" I second it."

The motion was carried.

Dr. B. S. MALLAYYA :—" I propose that the name of Mr. Gnanavaram Pillai be added."

Mr. BASHEER AHMAD SAYEED :—" I second it."

The motion was carried.

Mr. ABDUL HAMID KHAN :—" I move that the name of Mr. K. P. V. S. Muhammad Meera Ravuttar be added to the list."

Mr. C. S. GOVINDARAJA MUDALIYAR :—" I second it."

The motion was carried.

Mr. T. C. SRINIVASA AYYANGAR :—" I beg to move that the name of Mr. P. Siva Rao be added to the list."

The motion was put and lost.

Mr. T. C. Srinivasa Ayyangar demanded a poll, and the House divided thus.

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Ayes.

1. The hon. Sir Norman Marjoribanks.
2. ,, Khan Bahadur Sir Muhammad Usman Sahib Bahadur.
3. ,, Mr. T. E. Moir.
4. ,, Diwan Bahadur M. Krishnan Nayar.
5. ,, Mr. M. R. Seturatnam Ayyar.
6. ,, Mr. S. Muthiah Mudaliyar.
7. ,, Dr. P. Subbarayan.
8. Rao Bahadur C. V. Anantakrishna Ayyar.
9. Khan Bahadur Muhammad Bazl-ul-lah Sahib Bahadur.
10. Mr. H. A. Watson.
11. ,, C. A. Souter.
12. ,, S. H. Slater.
13. ,, A. McG. C. Tampoe.
14. ,, C. W. E Cotton.
15. ,, M. A. Manikkavelu Nayakar.
16. ,, Syed Tajudin Sahib.
17. ,, A. B. Shetty.
18. ,, J. Bheemayya.
19. ,, J. A. Davis.
20. ,, R. Foulkes.
21. ,, Mahmud Schamnad Sahib.
22. ,, J. Kuppuswami.
23. Subadar-Major S. A. Nanjappah Bahadur.
24. Mr. T. M. Narayanaswami Pillai.
25. ,, K. Krishnan.
26. ,, N. Siva Raj.
27. ,, M. V. Gangadhara Siva.
28. ,, V. I. Muniswami Pillai.
29. ,, W. P. A. Soundarapandia Nadar.
30. ,, Daniel Thomas.
31. ,, S. Venkiah.
32. Rai Sahib M. Hampayya.
33. The Zamindar of Singampatti.
34. Rao Sahib R. Srinivasan.
35. Mr. Kenneth Kay.
36. ,, W. O. Wright
37. ,, R. J. C. Robertson.
38. ,, H. F. P. Hearson.
39. Rajkumar S. N. Dorai Raja.
40. Mr. S. Arpudaswami Udayar.
41. Swami A. S. Sahajanandam.
42. Mr V. Ramjee Rao.
43. K. P. V. S. Muhammad Meera Ravuttar Bahadur.
44. Mr. T. C. Srinivasa Ayyangar.
45. ,, K. R. Venkatarama Ayyar.
46. ,, K. P. Raman Menon.
47. ,, C. Gopala Menon.
48. ,, B. Ramachandra Reddi.
49. The Raja of Panagal.
50. Diwan Bahadur P. C. Ethirajulu Nayudu.
51. Mr. P. T. Rajan.
52. ,, T. K. Chidambaranatha Mudaliyar.
53. Rao Bahadur S. Ellappa Chettiyar.
54. Khan Bahadur S. K. Abdul Razack Sahib Bahadur.
55. Muhammad Khadir Mohidin Sahib Bahadur.
56. Diwan Bahadur S. Kumaraswami Reddiyar.
57. Rao Bahadur K. Sitarama Reddi.
58. Mr. V. Ch. John.
59. Diwan Bahadur A. M. M. Murugappa Chettiyar.
60. The Zamindar of Mirzapuram.
61. The Kumara Raja of Venkatagiri.
62. Mr. A. V. Bhanoji Rao.

Noes.

1. Mr. Sami Venkatachalam Chetti.
2. ,, S. Satyamurti.
3. ,, C. V. Venkataramana Ayyangar.
4. ,, T. Adinarayana Chettiyar.
5. ,, P. Anjaneyulu.
6. ,, P. C. Venkatapati Raju.
7. ,, J. A. Saldanha.
8. ,, Abdul Hamid Khan Sahib.
9. ,, C. S. Govindaraja Mudaliyar.
10. ,, G. Harisarvottama Rao.
11. ,, C. N. Muthuranga Mudaliyar.
12. ,, K. V. R. Swami.
13. ,, D. Narayana Raju.
14. Dr. B. S. Mallayya.
15. Mr. K. Uppi Sahib.
16. ,, K. R. Karant.
17. Mr. M. Narayana Rao.
18. ,, C. Obi Reddi.
19. ,, A. Parasurama Rao.
20. ,, C. Ramasomayajulu.
21. ,, Basheer Ahmad Sayeed Sahib.
22. ,, P. Bhaktavatsulu Nayudu.
23. ,, A. Kaleswara Rao.
24. ,, R. Srinivasa Ayyangar.
25. ,, K. Koti Reddi.
26. ,, L. K. Tulasiram.
27. ,, C. Marudavanam Pillai.
28. ,, K. V. Krishnaswami Nayakar.
29. ,, K. Madhavan Nayar.
30. ,, C. Venkatarangam Nayudu.
31. ,, K. S. Sivasubrahmanya Ayyar.
32. ,, B. Venkataratnam.

Neutral.

1. Mr. K. Ramachandra Padayachi.
2. ,, G. R. Premayya.
3. ,, A. Ranganatha Mudaliyar.
4. Diwan Bahadur R. N. Arogyaswami Mudaliyar.
5. Mr. C. R. Parthasarathi Ayyangar.
6. ,, P. Siva Rao.

Ayes 62. Noes 32. Neutral 6.

The motion was carried.

[27th November 1928

1 p.m. The hon. the PRESIDENT :—" The question is that the Bill to amend the Madras District Municipalities Act, 1920, be referred to a select committee consisting of the following members :—

(1) The hon. Dr. P. Subbarayan.
(2) The hon. the Advocate-General.
(3) Mr. A. Kaleswara Rao.
(4) ,, P. Anjaneyulu.
(5) ,, Abdul Hamid Khan Sahib.
(6) ,, K. V. R. Swami.
(7) ,, K. R. Karant.
(8) ,, J. A. Davis.
(9) ,, S. Satyamurti.
(10) Diwan Bahadur S. Kumaraswami Re diyar.
(11) Rao Bahadur B. Muniswami Nayudu.
(12) Mr. S. Arpudaswami Udayar.
(13) ,, Daniel Thomas
(14) Rao Bahadur C. S. Ratnasabhapati Mudaliyar.
(15) Mr. R. Srinivasa Ayyangar.
(16) ,, K. R. Venkatarama Ayyar.
(17) ,, L. K. Tulasiram.
(18) ,, S. Venkiah.
(19) The Zamindar of Gollapalli.
(20) Mr. K. Uppi Sahib.
(21) Swami A. S. Sahajanandam.
(22) Mr. T. M. Narayanaswami Pillai.
(23) ,, C. S. Govindaraja Mudaliyar.
(24) ,, Basheer Ahmad Sayeed.
(25) ,, P. Bhaktavatsulu Nayudu.
(26) ,, V. Ramjee Rao.
(27) ,, V. I. Muniswami Pillai.
(28) ,, M. V. Gangadhara Siva.
(29) ,, P. J. Gnanavaram Pillai.
(30) ,, K. P. V. S. Muhammad Meera Ravuttar.
(31) ,, P. Siva Rao."

The motion was put and carried.

VI

A BILL TO AMEND THE MADRAS LOCAL BOARDS ACT, 1920.

Mr. G. HARISARVOTTAMA RAO :—" Mr. President, Sir, I move that leave be granted to introduce a Bill to amend the Madras Local Boards Act, 1920."

Mr. C. N. MUTHURANGA MUDALIYAR :—" I second it."

The motion was put and carried.

Mr. G. HARISARVOTTAMA RAO :—" Sir, I beg to introduce the Bill."

VII

THE MIRZAPURAM AND PEDAGONNUR IMPARTIBLE ESTATES BILL.

Mr. B. Ramachandra Reddi :—" Sir, I move for leave to introduce the Mirzapuram and Pedagonnur Impartible Estates Bill."

Mr. A. Kaleswara Rao :—" I second it."

The motion was put and carried.

Mr. B. Ramachandra Reddi :—" I beg to introduce the Bill."

VIII

THE ELLAMARRU AND PENJENDRA IMPARTIBLE ESTATES BILL.

Diwan Bahadur S. Kumaraswami Reddiyar :—" Sir, I move that leave be granted to introduce the Ellamarru and Penjendra Impartible Estates Bill."

Mr. A. Kaleswara Rao :—" I second it."

The motion was put and carried.

Diwan Bahadur S. Kumaraswami Reddiyar :—" I beg to introduce the Bill."

IX

A BILL TO AMEND THE MADRAS DISTRICT MUNICIPALITIES ACT, 1920.

* Mr. L. K. Tulasiram :—" Sir, I move for leave to introduce a Bill to amend the Madras District Municipalities Act, 1920."

Mr. R. Srinivasa Ayyangar :—" I second it."

The motion was put and carried.

Mr. L. K. Tulasiram :—" I beg to introduce the Bill."

Mr. R. Srinivasa Ayyangar :—" I second it."

* The hon. the President :—" No seconding is necessary."

X

A BILL TO AMEND THE MADRAS CITY MUNICIPAL ACT, 1919.

* Mr. Basheer Ahmad Sayeed Sahib :—" Sir, I move for leave to introduce a Bill to amend the Madras City Municipal Act, 1919."

Dr. B. S. Mallayya :—" I second it."

The motion was put and carried.

Mr. Basheer Ahmad Sayeed Sahib :—" I introduce the Bill."

XI

A BILL TO AMEND THE MADRAS DISTRICT MUNICIPALITIES ACT, 1920.

Mr. P. Anjaneyulu :—" Mr. President, Sir, I have just now sent my Bill [a] in an amended form, because Mr. Kaleswara Rao's Bill has been referred to a strong Select Committee ; if the hon. the President gives me permission I will move my Bill in the amended form."

* The hon. the President :—" The hon. Member has my permission."

a Published in the *Fort St. George Gazette*, dated 25th September 1928, as Bill No. 14 of 1928.

Mr. P. ANJANEYULU :—" Thank you, Sir. I move that the Bill to amend the Madras District Municipalities Act, 1920, be referred to a Select Committee composed of the same members to which the Bill to amend the Madras District Municipalities Act, 1920, introduced by Mr. A. Kaleswara Rao was referred with the addition of the following three names :—

Mr. T. Adinarayana Chettiyar.

,, P. C. Venkatapati Raju.

,, C. V. Venkataramana Ayyangar."

Mr. T. ADINARAYANA CHETTIYAR :—" I second it."

The hon. Dr. P. SUBBARAYAN :—" Sir, I do not propose to oppose the motion to refer the Bill to a Select Committee. I think it will be more convenient if the members of both the Select Committees are the same, because, as the Committee is to consider both the Bills together it will be difficult to decide when the extra members are to be added on."

Mr. P. ANJANEYULU :—" I see the difficulty and withdraw the extra names I suggested."

* The hon. the PRESIDENT :—" The question is that Mr. Anjaneyulu's Bill be referred to the Select Committee appointed to consider the Bill of Mr. A. Kaleswara Rao."

The motion was put and carried.

* The hon. the PRESIDENT :—" Does the House propose to have a consolidation of the two Bills ? "

* Mr. S. SATYAMURTI :—" Sir, I move that the Select Committee be authorized to present a consolidated Bill within two months from to-day. My object is that after considering the two Bills the Select Committee might consider it advisable to present a consolidated Bill, in order to make it convenient for the House to consider them together. At the same time, as the two Bills relate to the same Act, it will be a convenient course to adopt. I have fixed the time within two months from to-day so that when the next meeting of the House comes on, we may have the report of the Select Committee ready."

Mr. T. ADINARAYANA CHETTIYAR :—" I second it."

The motion was put and carried.

XII

MOTIONS ON MATTERS OF GENERAL PUBLIC INTEREST.

* Mr. D. NARAYANA RAJU :—" Mr. President, Sir, under Standing Order 34, I beg to move that items 1, 2 and 3 relating to motions on matters of general public interest be adjourned till item 4 is disposed of. I may submit for the information of the House that my hon. Friends (the movers respectively of motions Nos. 1, 2 and 3) Messrs. A. B. Shetty, Harisarvottama Rao and Manikkavelu Nayakar have kindly agreed to my proposal. I therefore hope that the House will not have any objection to the adjournment of these three items till item 4 is disposed of."

Mr. A. KALESWARA RAO :—" I second the motion."

The motion was put and carried.

*The hon. the President :—" The House will now take up consideration of item No. 4 on the agenda."

APPOINTMENT OF A COMMITTEE TO ENQUIRE INTO THE ECONOMIC CONDITION OF KISTNA, GODAVARI EAST AND GODAVARI WEST.

* Mr. J. Bheemayya :—" The resolution that stands in my name runs as follows :— 1-15 p.m.

" *This Council recommends to the Government that (a) for the purpose of making an open public enquiry into the economic condition of the tract as preliminary to the resettlement of the districts of Godavari East, Godavari West and Kistna, Government be pleased to constitute a committee, not less than half of the members of which being elected by this Council; and (b) pending the said enquiry the resettlement scheme report of the Kistna, West Godaavri and East Godavari districts be held in abeyance*'."

The hon. Member in moving his resolution spoke in Telugu.

* Mr. G. Harisarvottama Rao :—" Sir, I rise to second this motion, because I feel that resettlements in this Presidency are being conducted in a very high-handed manner. The economic condition of the people is little thought of. I have before me a very voluminous report by the Settlement Officer. Before I proceed to discuss in detail the scheme report of the Special Settlement Officer, I wish to make a few general observations in regard to the irrigation works that are concerned with the resettlement. This area was in the middle of the 19th century one of the most arid portions in Southern India. It was affected by famines and, in spite of schemes being proposed from time to time, no scheme was taken up until a terrible blow fell upon the land about the year 1833-34. It was reserved to a great sympathetic officer, Mr. Cotton, to propose the starting of irrigation works and it was in consequence of the terrible famines that were devastating the area that this area was brought under cultivation. This fact has especially to be remembered because I hold that any resettlement officer if he has to be reasonable must take into account the economic interests that exist at the time of the inauguration of the scheme and make due allowance for the adjustment of national life, though we all admit that Government should increase their sources of income for meeting the expenditure on works that they have undertaken on behalf of the population. The first settlement operations were begun about the year 1830. This settlement proceeded, according to the authority of the present Special Settlement Officer, on very wrong lines so far as the uplands were concerned. The present Special Settlement Officer says : 'After all, these patchwork tables framed for the upland taluks of the Godavari district embody the most irrational gradations of rates of settlement in the history of the ryotwari settlement.' Even with regard to the classification of the wet areas, the Settlement Officer holds that it was not properly done at the time. What happened later? There was resettlement again in 1899. In that resettlement uplands were not touched, the island Divi was not touched. What was touched after all? Only the delta was touched. Now we are on the third settlement. This Special Settlement Officer will admit in general the very grave difficulties that the ryots have to suffer in these three districts. But he has cleverly managed to give an impression that these districts deserve an enhancement of rent. The report is very well

written, I admit. I admit also that it has been very cleverly written but what I must say is that the Settlement Officer has conceived the whole in prejudice. He is staggered by the 'riot' of cultivation. He does not remember the real ryot. He is struck with the seeming affluence. He has magnificently commenced his report with green fields and expansive waters, fine roads, railways and canals and described the whole thing in such a way that the first impression you get is that the ryot lives in a paradise. When once the Settlement Officer proceeds with this pre-possession, I should call it prejudice--it is very difficult to send him out of that impression and make him settle his recommendations in a judicial manner. Not only he but also some one or two Collectors concerned have been biassed by the view that there has been improvement in these districts within the last few tens of years. One of the Collectors makes reference in a particular place and says that if you give the right of appeal to the ryots from the Settlement Officer to the Collector then there will be no end to it and there is no need to give this power to the ryots. I shall in due course refer to the several statements that have been made by this Special Settlement Officer and show what a special prejudice he has against the ryots of the districts concerned."

The hon. the PRESIDENT:—"The hon. Member has exceeded his time-limit. I request him to close his speech before we rise for lunch."

Mr. G. HARISARVOTTAMA RAO:—"I am sorry. I shall content myself by showing how the Special Settlement Officer has gone wrong in estimating the economic condition of the districts, and how he has taken a rosy view of the co-operative credit societies and other things in those districts."

The hon. the PRESIDENT:—"If the hon. Member wants to speak on the resolution further, he can do so to-morrow."

Mr. G. HARISARVOTTAMA RAO:—"Yes, Sir."

The hon. the PRESIDENT:—"Let me know the time he requires."

Mr G. HARISARVOTTAMA RAO:—"Thirty minutes."

The hon. the PRESIDENT:—"That is too much to bargain. I think the hon. Member has got a resolution of his own to move. Does he propose to move it?

Mr. G. HARISARVOTTAMA RAO:—"No, Sir."

The hon. the PRESIDENT:—"Then he has the full 30 minutes."

Mr. G. HARISARVOTTAMA RAO:—"Thank you, Sir. I merely wish to say that the Settlement Officer might have finished his work by merely making a report in words to the following effect: 'Kistna, West Godavari and East Godavari are now provided with splendid canals. They are now provided with splendid railway communications. They are now provided with plenty of increased prices. They are now provided with a large number of co-operative credit societies They are now provided with luxuries of life that have come in the train of the 20th century. Therefore there is need for enhancement of Government revenue. I propose in consequence that the tax be raised.' On reading the report of the Special Settlement Officer I find that that is the impression created upon one's mind. I shall specifically mention a few instances which will show the tendency of the Special Settlement Officer. There are two points which he has clearly touched upon and which are very disadvantageous to the people

of the districts. The first is the upland regions. Not only does he give his own opinion but also gives the opinion of Mr. Clarke who agreed with him. The Revenue Board would not accept that opinion. The Government upheld the Board of Revenue's view and levied a percentage enhancement of $33\frac{1}{3}$ per cent at the last resettlement. With all these he comes to the conclusion holding as he does that the classification was particularly wrong, holding as he does that the upland territories were badly touched by this wrong classification, holding as he does that the wet areas in the upland regions have been very wrongly classified, that an increase may be made in the settlement rate for the uplands. Again, he shows very great consideration for Kolair lake regions and he describes those regions in minute detail as to how he is anxious to show sympathy for the people of the inundated Kolair lake regions who are suffering for want of drainage facilities. He says all this, but when he comes to the conclusion he changes his opinion and says 'I shall adjust the enhancement of rent in such a manner as to make the Government not to lose one pie of what they were previously getting'."

* The hon. the PRESIDENT :—" The hon. Member will continue his speech to-morrow."

The House then adjourned for lunch.

After Lunch (2-30 p.m.)

XIII

ADJOURNMENT MOTION *RE* THE APPOINTMENTS IN THE REGISTRATION DEPARTMENT.

* Mr. SAMI VENKATACHALAM CHETTI :—" Mr. President, I beg to move that the business of the House be adjourned to discuss a definite matter of urgent public importance, to wit, the policy recently adopted by the Government in regard to recent appointments in the Registration department.

" In raising a discussion on the recent instructions of the Government issued in regard to the Registration service, it is not my intention or my desire to rouse the dormant communal feelings of communities or castes. It is my desire that justice should be meted out to those who are already in service irrespective of caste, creed or religion. It is, therefore, my earnest wish that hon. Members of this Council should view this question dispassionately without importing communal considerations beyond what is essentially required. It is necessary that this question should be viewed firstly from the point of view whether the Local Government have complied with the spirit and even the letter of the Government of India Act in regard to the services and also whether the power delegated to them to make rules has been properly used. Though the Local Government obtained power from the Secretary of State for India to make rules by delegation as early as 1926, no such rules were to our knowledge made till so late as September 1928.

" Under the provisions of section 90-B (2) of the Government of India Act, the Secretary of State for India reserves to himself the power to make rules with regard to all services and to delegate such powers either to Local Government or to the Legislature. In virtue of this provision, the rules

regulating the All-India services have already been made by the Secretary of State for India, and the Local Government has been delegated to make rules in regard to Provincial Services. The Local Government has, under Delegation Rules, 1926, therefore, the power to make rules subject, however, to the previous sanction of the Governor-General-in-Council, being required in the making up of first appointments to a Provincial service otherwise than on the result of a competitive examination or on the advice of a permanent Board of Selection appointed by Local Government or the Public Service Commission established in accordance with the provisions of section 96-C of the Government of India Act.

"For the first time we see that the rules framed by the Local Government to regulate the conditions of service, pay, allowances and pensions, in regard to Registration service were published in their order dated 3rd September 1928. From a perusal of these rules and conditions, it is evident that the Government did not introduce communal standards either in recruitment or in promotion. They distinctly say that promotion to selection grade shall be for approved service of more than ordinary merit and no officer shall be entitled to promotion to that grade merely on the ground of seniority. It is, therefore, distinctly on the basis of approved service of more than ordinary merit, that a person becomes entitled to promotion. If the Government had really intended to make provision for communal considerations, they should have faced the question even at this stage of the registration service and thus obtained the previous sanction of the Governor-General-in-Council; either because they were not hopeful of the Governor-General-in-Council giving sanction to rules containing provisions for communal considerations or otherwise, the fact is significant that they did not make provision for communal considerations in the cadre of District Registrars.

"I suggest therefore that the Governor-General-in-Council has refused sanction being given to any rules which make provision for making appointments or promotions, otherwise than on the result of competitive examination or on the recommendation of a permanent Board of Selection or of the Public Service Commission, that is to be established. I suggest further that the Governor-General-in-Council is not willing to vest in the Local Government the power of distributing the offices without laying down certain definite conditions even when such appointments or promotions are sought to be made on communal considerations. While it is not my intention to protest against the action of the Government in making provision for unrepresented or inadequately represented communities in the services, it is my desire that such representation should be subject to certain intelligible and permanent considerations, which will apply to all services. Therefore, while so far as the rules laid down for the District Registrars are concerned, nothing could be said against it. I regret that the Local Government is attempting to circumvent the previous sanction of the Governor-General-in-Council by making such rules in the subordinate services so as to result in the communal considerations having a large influence and effect over the Provincial service of District Registrars without letting the Governor-General-in-Council know of the intentions of the Local Government. You will find from the instructions issued in regard to the selection grade of Sub-Registrars that the recruitment and promotions are to be made on purely communal considerations.

27th November 1928] [Mr. Sami Venkatachalam Chetti]

"In the first place, it is my contention that the appointment on the selection grade from the upper grade Sub-Registrars is not initial recruitment but promotion from one cadre to another. In this contention, I am fortified by the original letter of recommendation of the Inspector-General of Registration in requesting the Government to create a separate cadre and also by the speech made by hon. the Minister for Public Health when asking in this Council for sanction of the grant. The Inspector-General of Registration in his letter, dated 7th July 1928, points out the lack of prospects of promotions of Sub-Registrars to those of the District Registrars compared with chances and emoluments obtained in other departments of the Government and makes a recommendation that a separate selection grade should be created to which persons of approved service, who could not in the ordinary course of things get a chance of becoming District Registrars, should be appointed, from which selected cadre vacancies in the District Registrars' posts may be filled up. It is because Sub-Registrars most senior in service cannot under the existing state of things have reasonable chance to become District Registrars, this selection grade was intended to benefit them. There was no suggestion then of such selection being made on communal considerations, and again the hon. the Minister for Public Health in his speech, dated 28th March 1928, said that the creation of the cadre will enable the persons who put in 25 years of service to draw a salary of Rs. 200 to Rs. 250. Even then there was no hint that this selection would be made otherwise than on approved service and merit.

"It is, therefore, clear that these selections are *prima facie* promotions and not initial recruitment whatever reasons there might be for the initial recruitment being made on communal considerations. Such a selection on communal consideration in an existing service is not calculated to allay discontent, the one prime consideration on which the Inspector-General of Registration recommended this selection of cadre. You will find from the list of persons promoted to the selection grade that persons, who were very much below in rank, were allowed to supersede those who were higher in rank. It seems to me very unjust that persons, who put in only 4, 5 and 9 years of service, were allowed to rank higher than those who had put in 25 years of service. This kind of supersession engenders in the service a sort of malignant feeling, the poignancy of which it is difficult for us, who are not in the service, to really appreciate. Persons in the service render faithful work in the hope that their services will be rewarded in course of time, little expecting that their hopes will be ruthlessly destroyed by no fault of theirs, but by the fact of their birth. It seems to me we are creating in them a feeling of disgust of their parentage. Apart from this, there is another injustice, perhaps unconsciously done. The selection is to be made on the basis of 5 Non-Brahmans, 2 Brahmans, 2 Muhammadans, 2 Anglo-Indians or Christians, 1 other castes. Under this arrangement, while it is inevitable that minority communities should suffer, it seems to me that individual members of the majority communities as well suffer disappointments. To illustrate my point, supposing the 13th man is an Anglo-Indian or Christian, he cannot hope to get the next vacancy, but should wait till 2 Non-Brahman Hindus and 1 Muhammadan were provided. My submission to this House is that whatever might be the merit of the immediately successive persons, they have to give way to the

merit of birth as ordained in this Government Order. Nothing could be more nakedly unjust than this.

"The injustice that is sought to be perpetrated by this Government Order on the Sub-Registrars' service, does not end with this service, and apparently it was not the intention of the Government to end it here even. For, the vacancies of District Registrars have to be filled up from recruitment from this selection grade of Sub-Registrars, which selection was made on purely communal basis. The result, therefore, is that the promotion to the Madras Registration Service of District Registrars, in effect will be made on communal considerations, for which no provision has been made in the rules published in regard to that service. I, therefore, say that the Madras Government instead of facing the question quite squarely and making provision for communal considerations even in the District Registrars' Service and obtain the sanction of the Governor-General-in-Council, is trying to circumvent the same by methods of the nature now illustrated. I, therefore, consider that it is neither fair to the Council nor to the service that such a device should be resorted to by the Government. It is only just that persons in the service should not be victimised on account of their birth. This will introduce a feeling of discontent, which will certainly affect the efficiency and the honesty of the services. I hope that that is not the object of the hon. the Minister. I beg to commend the motion to the acceptance of the House."

* Mr. C. V. VENKATARAMANA AYYANGAR :—" Mr. President, I have very great pleasure in seconding this motion. I have more than once supported on the floor of this House propositions stating that it is necessary to make initial recruitments to the various services on some communal basis. But it was never intended or expected that Government would go so far as to apply that rule to what are really promotions. We are thankful to the Government for making an admission to me this morning that so far as the present Government Order goes, it does not apply to promotions.

2-45 p.m. "The only important question that we have to consider at present is whether an appointment to this selection grade is promotion or not. The leader of my party who has moved this proposition has, at some length, gone into the question of section 96-B of the Government of India Act. The plain questions that were put to-day were whether the Government were making these rules and promotions on communal basis under the powers that had been delegated to them under section 96-B. The direct question that was put was whether any rule deviating from the general principle of competition should not be approved by the Governor-General-in-Council. In this case even supposing that initial recruitments should be based on communal considerations, the Government have, first of all, to see on the analogy of the Government of India rules—unless they have got special powers—that two-thirds of the appointments at least are made by competition. If, in that two-thirds, there is no proper representation on communal basis, they may probably have power to recruit the other one-third on communal basis. Even then they should stick to some kind of competitive examination or other tests by which the qualifications of those persons may be found out. As the rules stand at present, I believe that in the absence of competitive examinations no recruitment can be made except by a Staff Selection Board

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or Public Services Commission unless it is approved by the Governor-General-in-Council. In this case, the appointments were not made by either of those bodies. However much we and the Government may agree that initial recruitment should be based on communal basis, what I urge is what has been done in this case is not proper at all. They should make the appointments either by a system of competition or with the help of a Public Services Commission or a Staff Selection Board which should be required to make these appointments under certain well-known rules.

"Coming to the present case itself, the Government of India Act with its various schedules tells us that, so far as the services are concerned, there are ordinarily only three kinds of services, viz., the Imperial Service, the Provincial Service and the Subordinate Service. So far as this department itself is concerned, the schedule gives no Indian Civil Service at all. We have only the Madras Civil Service and the Subordinate Service, and the Madras Civil Service consists of the cadre of District Registrars. According to the recent Government Order, of which we have got a copy, rules have been framed for the Madras Civil Service, which says that it consists of 33 Registrars and that the recruitments shall be made on communal basis. I am not now troubling myself whether that Government Order is correct so far as the recruitment of District Registrars is concerned. But the rule clearly shows that there is only one cadre so far as District Registrars are concerned and the same rule applies to the other cadre, viz., the Subordinate service of that department. Therefore all Sub-Registrars come under the one cadre of Subordinate Services. It is too much to suppose that in the cadre of Sub-Registrars there are several services, such as what they call the upper grade and selection grade. I would submit that it is absurd to call these three grades as separate services. The Government publish a book called the list of Sub-Registrars, and even in that book I do not think they are divided into three services—the ordinary subordinate service, the upper grade and the selection grade. So far as the rules and the Act are concerned, it is clear that at present all the subordinate posts in the Registration department form only one cadre. Therefore any appointments made in that service must be only promotions from one portion of the subordinate service to another portion. I see that the present thirty appointments seem to have been made by the Inspector-General upon the Government Order relating to the Madras Registration Service. I do not know if a separate Government Order has been passed regarding the Sub-Registrars I believe not. In any case I do not think that that Government Order can be made applicable to Sub-Registrars and therefore the Inspector-General was not warranted to make appointments in the new grade of Sub-Registrars on the strength of that Government Order on a communal basis. My submission is that appointments to the selection grade from the upper grade are necessarily promotion in the subordinate service. At the time the Act came into force, every one in service naturally expected that he would go to the top of the services, including the District Registrars' grade. If, therefore, the Government passed these orders without getting the sanction of the Governor-General, and, if necessary, of the Secretary of State, I am afraid that the Government will be liable to civil suits and will have to pay compensation I do not know whether the Government have considered that aspect of the question and whether these people will not be entitled to get

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compensation when promotions are made from one portion of the service to another portion on communal basis.

"The first question then I would ask is whether this is promotion or not. I would be glad to know from the hon. the Leader of the House or the Minister in charge whether they have consulted their legal advisers. Secondly, I will be glad to know whether these rules should not be approved by the Governor-General-in-Council and by the Secretary of State. These are questions going to the very root of the problem and I hope that the Government will seriously consider this question before public servants affected consider the desirability of taking further action in the matter.

"I do not want to say anything further to what has been said as regards justice and equity in the matter. If we scrutinize the list, the Government themselves have provided us regarding the officers that have been promoted to the special grade we find that the one of them is No. 160 in the list of the Sub-Registrars while the first man promoted is No. 7 in that list. Between 7 and 160, out of 153 cases only twenty-eight appointments have been made. Although some non-Brahman officers may think that they have been promoted over the heads of some Brahman officers, it will be clear that some non-Brahmans in the middle of the list will have the same grievance by a Muhammadan whose rank is 160 gets into the selection grade over the heads of senior non-Brahmans. To-morrow when the next vacancy occurs, a man who is probably 200th in the rank may be promoted because he is an Adi-Dravida or Christian or Anglo-Indian. Even non-Brahmans and others will thus be treated unjustly if promotions are made on communal basis.

"Apart from that question, there is the question as to whether public servants can be expected to have a good morale apart from the difficulty of maintaining discipline. When a person far junior is likely to be suddenly placed soon over a senior, he would not care to listen to the words of the senior for the time being and when the junior becomes a Registrar, the unfortunate senior man will have to serve under him. Are we not to remember in such cases ordinary human nature? Although I know that, fairly speaking, all the Sub-Registrars are honest now, I ask, will they continue to be so? For, however clever, however honest, however educated and efficient a man may be, whatever his character, whatever his capacity may be, he will not be promoted because he is a Brahman or because he is a non-Brahman and others, because they are Christians and Muhammadans. To say that, whatever the capacity of the man may be, he will not get promotion simply because he belongs to one unfortunate community is, to say the least, not to care for continued honesty. A non-Brahman lower down in the list will think 'why should I care for work; what do I care for honesty; I will get promotion anyhow, whether I am honest or not.' I think the morale of the service will be very bad. The rules under the Government of India Act have been framed on moral considerations also. From any point of view the Government are doing very grave injustice to the officers simply to please some Members in this House and to get their votes. It is well-known throughout the country that the Justice party was in a very large majority in the first Council. Even they did not dare to apply this bad system as regards promotions. They were then satisfied only to make some initial recruitments on a communal basis. By all means at the time of initial recruitment to any service, Imperial, Provincial or Subordinate, let the

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Government make appointments on communal basis provided they are based on some competitive test as regards capacity, etc. Let it not be laid down that any man can get appointments simply as a question of communalism as that will certainly affect the efficiency of the services. European bureaucrats may be glad now. So far as they are concerned, all possible rights, imaginary and otherwise, have been safeguarded. We now say 'we want Indianization.' A few years later, they will say 'look at the result of Indianization; it is all rotten; it is all inefficient.' European officers will be very glad to give effect to such rules. It depends upon us, Indians, to see that we do not give room to such complaints being made later on. From all aspects of the question it is very necessary that we should look into this question very carefully. The Government should make it clear that they will not make these rules applicable to promotions in the same service by whatever name they may call them.

"I appeal, especially to the officers . . . ." 3 p.m.

The hon. the PRESIDENT :—"The hon. Member is requested to wind up his speech."

Mr. C. V. VENKATARAMANA AYYANGAR :—"Yes, Sir, I am actually doing it. I am therefore appealing to all the higher officers. I have even told some of the responsible officers, both European and Indian, who are against this rule. I appeal also to my European commercial members, non-official Europeans, to see that they do not allow such things to be done; of course I am told that even in the case of some Ministers they want non-Brahman shorthand writers, clerks, etc., but so far as Europeon non-officials are concerned, they would be the last to see such rules in force in their offices. What they will do in their own offices, they must certainly be willing to see done in other offices. Therefore I think, as a matter of sheer justice, this resolution should be passed by this House."

Mr. R. SRINIVASA AYYANGAR :—"Mr. President, Sir, I feel I cannot but characterize the recent Government Order which we are now considering and the selections made thereunder as unjust, inequitable and absolutely unfair. I charge the Government with a deliberate breach of faith in dealing with a large class of public servants who entered the service some 20 or 25 years ago under different conditions at a time when this communal bogey or communal preference was neither in the air nor was ever thought of. If only those that are responsible for this order had placed themselves in the position of the unfortunate man to whom guillotine had been applied deliberately or otherwise—I do not want to use strong language—I have not the slightest doubt that they would have declined to be parties to this. But unfortunately, neither the Members of the Government nor the legal advisers happen to be District Registrars or members belonging to the selection grade of Sub-Registrars or even members of the Registration department itself. Therefore, it mattered them not in the slightest degree how the order that they were issuing was likely to or calculated to affect a large number of public servants who have put in a large number of years' service and grown grey in the service and who were eagerly looking forward to some preferment and promotion and hoping that they might be able to get something extra on the eve of their retirement which would go to enhance their pension on their retirement. But alas! these hopes have been blasted, cast to the winds. On what

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considerations, shall I ask, on what considerations of fairness, on what considerations of justice and on what other considerations but considerations unholy, impolitic and unwise, considerations which cannot appeal to any right-thinking man or which can hardly be expected to carry conviction to any one was this order passed? Already, Sir, a large number of persons have been affected for no fault of theirs. If you will only look into the list, you will find that out of 106 men, there are as many as 64 belonging to a particular community to which I have the honour to belong; and out of these 64 in the upper grade whose claims should have been considered for these 30 appointments, how many do we find? We find precious little and that precious little does not take us beyond six. Leaving out 64 out of 106, the balance comes to 42, and out of 42 as many as 21 have been provided for in the selection grade. Now, Sir, it is a tragedy of public life and even an irony of fate that when we come to examine the list of persons and the order in which their names have been placed, we find that the last man, a member of a particular community whose rank is 24, unfortunately for him and as ill-luck would have it, had been placed much below in rank; and above him have been placed 26 persons who are his juniors. Twenty-six men below him in rank have passed over his head, so much so that in the matter of free flow of promotions from the selection grade to the District Registrar's grade, this man will have to wait and wait, rot and die in despair and in humiliation, without having the benefit of promotion which he is otherwise legitimately entitled to. I ask whether any Government under the sun, any enlightened Government, has got the slightest right or justification, moral, legal or otherwise, to inflict such an unmerited hardship at a moment's notice upon this class of persons. I can very well appreciate, I can very well sympathize with the Government in their anxiety to adjust inequalities, to refuse initial appointments in respect of particular communities, say for five years or seven years or even ten years to come. Then it may be all right; but to interfere with the normal state of affairs and deny persons who have already been in service the chances of promotion which they are ligitimately entitled to, is an outrage, I submit, upon commonsense and upon the accepted canons of fairplay, decency and honour.

" Sir, I have gone through the list very carefully. I find that as many as 25 Brahmans who are to retire in two or three years' time have not been considered fit to occupy any place in this selection grade. Is it their fault? Why should any man be penalised on account of his colour, caste or even birth? Suppose we make a rule to-morrow just to reverse this order of things, viz., that only certain considerations must weigh with the Government in the matter of appointments, can we expect it to be carried by the House? Will there not be a regular hue and cry? All that I submit is that if in the interests of placating a particular community you say so, then manage it in such a way as to cause the minimum amount of harm to the other communities, taking care at the same time to respect the feeling and the legitimate claims and susceptibilities of communities whose claims you want to ignore.

" Then again, Sir, as my hon. Friend from Coimbatore has just now stated, there may be some point in limiting it to the initial recruitment. But this 'recruitment' itself is a very deceptive and elusive term. It may embrace nothing or it may embrace all the universe. Suppose the Government says

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we want to recruit 25 persons as registrars. Recruitment may be from the men in the service or it may be from people outside the service, and therefore the extension of this rule to all such cases will be to the detriment of a large number of persons who, I have not the slightest doubt, have been rendering meritorious and loyal service, service worthy of approbation and worthy of recognition and certainly unworthy of this kind of condemnation at the hands of this heartless Government. I do not want to use very strong language, Sir, though I am tempted to do so. It is unworthy of any Government which can lay claim to enlightenment What more can I say? I am conscious I am fighting a losing battle, but I am absolutely certain that a large number of persons are inclined to share the view which I am trying, at some pains, to lay before the House. I regard this Government Order as nothing but the thin end of the wedge. Probably this is the beginning, and the beginning itself has taken us very far into the depths; and I do not know to what further depths we will have to go, and I do not know what further orders this Government of Madras will pass in the case of other services as well. Even now, Sir, it is not too late; it is always a virtue to own one's mistakes, to go back upon them and to cancel them. That is gentlemanliness, that is chivalry. There is also an element of charity in it, and there is also an element of sympathy in it. I hope and trust that the hon. the Minister will, taking into consideration the feeling reflected on the floor of this House, try to reverse this process. On going through the communication that he has received from the Inspector-General of Registration dated July 1927, one may be tempted to think that the blame does not fall on him; but I am inclined to take a different view of the matter. So far as this communication from the Inspector-General of Registration is concerned, it does not contain any the slightest reference to the possibility of this communal preference being shown or considered. As a matter of fact, it is overflowing with profound sympathy for those who but for this Government Order would have been allowed to rot for all time to come till their retirement from service. Now, Sir, let me read out one or two extracts therefrom:

'The result will be that most of the sub-registrars cannot look forward for promotion to the cadre of District Registrars before they are due to retire. Seeing that sub-registrars' cadre is almost entirely composed of graduates, that the chances of their promotion to the gazetted rank are unduly limited and that they have no outlet for promotion in other departments, it is not unreasonable that they should expect higher remuneration at least towards the end of their service.'

"Then, after referring to what their confreres in the other departments, i.e., the Revenue Department and others, are getting, the Inspector-General says:

'I submit that the same principle may be extended to sub-registrars so as to enable officers who may not have an opportunity to get into the gazetted ranks of the department during their service, to rise to Rs. 250, the minimum pay of a District Registrar.'

"This contains a pious hope; how have the Government translated into action the pious hope which this letter adumbrates. As a matter of fact, the Inspector-General of Registration in his anxiety to do the barest amount of justice to his subordinates, and with a view to see that the men get the deserts which they are legitimately entitled to, came out with this plaintive plea on behalf of his subordinates and stated that these men may automatically rise to Rs. 250, the minimum pay of a District Registrar, as that will give them a small increase in their pension. That was what he had in his

mind and that is what exactly he put on paper. That was, I submit, before the consideration of the Government; but the Government turned down the proposal and has used it for some other purpose–I won't call it nefarious purpose. This is certainly unjust, improper, outrageous. I still have hopes in the fairness and impartiality of my friend the hon. the second Minister whom I have known very well, and who I believe in this case has yielded to some pressure partly from within and largely from without, for considerations which I shall not place before this House. I leave the matter there in the full hope that he will review the situation and reconsider the question. Being a pious Hindu and God-fearing as he is—I know him very well—I hope he will not do anything which is likely to bring upon his pious and devoted head the curse and wrath of deities."

Mr. N. Siva Raj:—"Mr. President, Sir, the hon. the Leader of the Opposition in moving this adjournment motion, referred to the justice of the matter. I thought, Sir, that all the time he was talking, he was talking only of actual justice in the absolute. I do not think he ever thought of justice as it ought to be applied in this country. Sir, I do not think that justice, as he meant, can ever be applied to a country in which exists very many unjust things to the disgust of the whole world. And my friend Mr. R. Srinivasa Ayyangar from Cuddalore said that there is no Government under the sun which will countenance such an unjust thing as the order that has been recently passed in the Registration department.

3-15 p.m. "Nor, I think, does there exist any country in the world in which you find so many unjust things being done in the name of caste and creed. I may state that whatever seems to be an unjust act on the part of the Government to-day in the eyes of the Opposition, is nothing but a necessary and a natural reaction of the society that exists outside this House. After all, in my opinion, Sir, even this House and the Government which is existing at the present day in Madras are nothing but an expression of the society that exists outside this House. Who is there in this House who is not a communalist? I am sure the hon. the Leader of the Opposition himself has said that many of the nationalists in his camp are communalists and communalists of a very rare type. I know that one party in this House, namely, the Justice party, has declared communalism as one of its political principles. We, of course, on this side of the House, have always stood for equal opportunities for all, thereby implying that we recognize the justice and the necessity of providing for every class or community. I do not think even our European friends who are here are free from that taint of communalism. We find, for instance, in the old Indian Civil Service Act and in the High Courts Act that a certain proportion of appointments is reserved for Europeans to be recruited from England, and other safeguards are provided. If there is that idea of absolute justice, I am sure such provisions will never find a place in some of these Acts. I am only surprised why people should now take umbrage under some of the provisions in the Government of India Act and criticize the action of the Madras Government in respect of the Government Order referred to.

"After all, we find that what the Madras Government did was merely to give an extension of the communal principle which they would usually adopt at the time of recruitment to the various public services. In a Presidency

like ours, where we find people are carried away or are influenced by office-holders and officers, it is very necessary that there ought to be an extension of this principle which has also been granted by the Opposition in regard to initial recruitment, to various stages in appointments. I maintain that selection to the selection grade is but another type of recruitment and is as good as direct recruitment to some of the higher posts in the public service. When in the case of recruitment to the higher jobs this principle of communal representation is granted, I do not see why, in the case of the selection grade, which after all has got to supply the higher officers in any particular department, this principle ought not to be granted. There is also yet another thing we have to consider in connexion with the extension of this principle, and I for one, belonging to a community which is practically not represented in the higher service, would welcome such a step and support it. If I had the power to do so, I would even go further than the present Government Order and in order to protect the interests of many communities, I would even lay down a rule that the community which is lower in the social scale ought to get greater representation in the Government service; not only a greater percentage, but also the higher appointments for men who belong to communities which are low in the social scale, with a view to improve their status knowing as we do that the people outside this Legislative Council and the country are invariably carried away by the influential officers of Government. So, I even think that this kind of principle will not be unjust.

" But, for the present, confining myself to this order relating to the Registration department, I cannot but welcome that order, in view of the fact that after so many years, and probably, for the first time, it throws open at least one job to a member of the community to which I have the fortune or misfortune to belong. We are all talking about efficiency. I for one maintain that efficiency is again a wrong principle to be applied. I will tell you how it is. I can understand efficiency being used among people who have got equal opportunities for training and who are given equal opportunities for equipping themselves for any competitive examination. Now, you throw obstacles in the way of certain communities getting into schools and colleges, or getting into particular society or atmosphere so that they cannot get the benefit which they can derive otherwise and you talk of efficiency, while all the time you deny others the opportunity to make themselves brilliant and efficient. I think, after all, efficiency is a thing which has been introduced into this country after the advent of the Englishmen in this country and I do not think that any principle and every which has been evolved in an island like England can be applied to a continent like India. What might be good or just in the case of Western systems cannot be maintained as just in this country, knowing as we do the peculiar conditions of our country. As I said previously, efficiency is a very very misleading test to be applied in this part of India. At any rate, we find that equal opportunities should be provided in the first instance to every one, however low or high he may be in the social scale, in order to equip himself for the efficient discharge of his work before this order can be called unjust. So, Sir, as I said once before, this Government Order is a natural and necessary result of the state of society that exists outside the Government and with that view, I oppose this adjournment motion."

* Mr. P. SIVA RAO :—" Mr. President, Sir, permit me to enter my humble and most emphatic protest against this iniquitous measure that has been recently passed by the Government of Madras. Sir, I hold very strong views about communal representation in the services. I yield to none in my contention that there should be equal opportunities for all communities which point has been strongly urged by the hon. Mr. Siva Raj. I also see the imperious necessity of providing adequately and effectively for the representation of all communities and castes in the public services, but what I object to is the reservation of a proportion of certain appointments and the extension of the same principle even in the selection, promotion and in the upper grades as well. Whatever may be said of the initial recruitment, I for one should think that though this principle should be tolerated only in view of the peculiar conditions of this country, it should not be applied in making appointments to the upper grades or to the selection grade. When you make rules for the initial recruitment of officers, you should notify to those applicants or candidates 'that hereafter these shall be the rules which govern the continuance of the service in this particular department; if you choose to remain in it you may do so; if you do not like the service you may keep away'. Now, Sir, this actual gambling, if I may be allowed to say so, if it is allowed to spread not merely to initial recruitment but to the selection grade, and if the same thing spreads to the other departments also, I only see the thin end of the wedge now. The Government have been applying a kind of feeler in the case of the Registration department. It is the duty of us all to see that, in the interests of efficiency, in the interests of the existing and accruing rights of those in service, the merit of approved service will be the only criterion in making promotions or in appointments to the selection grade. I do not for a moment deny,—whether we succeed in carrying this adjournment motion or not, it may be that we are in a hopeless minority,—that it is a mistake to suppose that this Government Order treats only of one particular community, but it treats all minority communities alike, for instance, Muhammadans, Indian Christians, Anglo-Indians, Europeans and Depressed classes.

" Now, Sir, I remember the history of the whole question. In 1921, when the Justice party returned in their fullness and in their glory, and in the fullness of their wisdom, they moved a resolution and carried it by mere dint of majority of numbers and then a Government Order was issued, which is the famous Government Order of 13th August 1922, in which they did not carry out this principle. The present Government Order of October 1928, I should say, is a grotesque development of the same policy. I do not see any seeds of it in the Government Order of 13th August 1922. That Government Order simply re-affirmed the policy that has been laid down for a long time in the Standing Orders of the Board of Revenue. It aimed to see, that all conditions being equal, every effort should be made to give due and adequate representation to all communities. It is far from saying that for every twelve of the candidates, you must take a certain proportion, say, five caste Hindus, two Muhammadans, two Anglo-Indians, etc. It is a most illogical and I may say a most iniquitous principle that is contained in that Government Order.

3-30 p.m. " And I may also refer to the methods which the Government have adopted in this matter. When they dealt with the matter of passing rules

they adhered to the conditions of service in the case of Registrars, by which they meant conditions of pay of Registrars in general. They have taken this from the Civil Service Regulation Rules, but so far as the initial recruitment in the subordinate services in the Registration is concerned they have not taken into account the Civil Service Delegation Rules for obvious reasons. I put it to them directly whether they did not intend to circumvent the Government of India Act, ever since 1922 after the communal Government Order was passed, and whether it was not with the idea of going behind the rules and the policy of the Government of India and the Secretary of State. I should put it for this very reason that in the case of initial recruitment it is stated in the connected papers that the Inspector-General of Registration shall issue some instructions in conformity with the Government Order passed. And I take it that they have not acted on the Civil Service Regulation Rules so far as the initial recruitment of Sub-Registrars is concerned. And with regard to those already in the selection grade the authors seem to have issued certain departmental instructions. If we only turn over the pages, I mean, if we only refer to the Civil Service Regulation Rules we find a rule that only when they resort to departmental instructions they need not carry out the policy of the Government of India and the Secretary of State. The rule is 'the previous sanction of the Governor-General in-Council shall be required (*a*) to making of first appointments to Provincial services otherwise than (1) on the result of a competitive examination and (2) on the advice of a permanent Board of Selection appointed by the Local Government or of the Public Services Commission established in accordance with section 96-C of the Government of India Act'. So they wanted to depart from this policy of competitive examination and of the advice of the Board of Selection. I think they ought to take the previous sanction of the Government of India. I would very much prefer the method of nomination whenever the Government thinks that any particular community or caste is not adequately represented instead of this arithmetical proportion and binding the hands of the head of the department, as they do in the superior services. I may also say that in the case of the existing and accruing staff, to protect them, I remember very well at the time of the Lee Commission they purposely made reservations in the case of All-India Services, the Indian Civil Service and other superior services. They made expressed reservations that the existing and accruing rights should not be infringed. I take it that this is no new principle: I find in the Government of India Act itself an expressed reservation in the Government of India Act under section 96-B. It runs thus:—'Provided that every person appointed before the commencement of the Government of India Act, 1919, shall retain all his existing or accruing rights or shall receive such compensation for the loss of any of them'. Now, Sir, the principle which it is held is applicable to the superior services must be extended to the subordinate services, i.e., the existing rights of those already in the services acquired by approved service, by merit and efficiency, by which they can rise to a certain level, that is the right of the existing staff and that ought not to be infringed. May I also refer in this connexion to the Government of Madras to rule 5, the very rule which they passed under the Civil Service Delegation Rules. 'Promotion to the selection grade shall be for approved services by more than ordinary merit and no officer shall be entitled to promotion to that grade merely on the ground of . . .' Why

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should that rule be deviated from in the appointment of Sub-Registrars to the selection grade ? Now, considering from any aspect it seems to me to be very iniquitous, very unjust, firstly on the ground that it impairs efficiency of the services, secondly, on the ground that it works great hardship on those already in the services. It is very unfortunate that this Government Order should be passed when there is considerable evidence given before the Statutory Commission that when communalism was introduced in the Punjab' it has proved disastrous in the effect ; and more especially on the eve of the Statutory Commission, when one of its terms of reference is with regard to the conditions of service and the principle and policy that should be followed in the recruitment of services. It is said that at this juncture the Government of Madras should have taken the lead in passing a very retrograde law and in doing so they seemed to have shelved the principle of a lifetime. From what the Member for Public Services said we learn that they have been slowly and persistently making this encroachment of communalism and further it is unfortunate they have introduced this on the eve of a great public commission not by direct, honest and frank methods but by roundabout methods by issuing departmental instructions, thereby avoiding the sanction of the Government of India. I wish to raise my humble protest against this. The sooner this order is cancelled in the interests of the security of the services and to prevent the injustice that will be done to the hard-worked subordinates in the lower rungs the better."

* Mr. K. Krishnan :—" Mr. President, Sir, I rise to oppose this motion. Speakers who have spoken on the motion have been saying about the injustice that is perpetrated by this order especially to those who entered the services in the hope of getting promotions as they continue. But those speakers themselves probably forget that they were themselves the loudest in perpetrating that injustice, if that can be called injustice, what were they doing when they were asking for the Indianization of the services. Some of the superior grades in the Indian Services are filled by competitive examination and the present cry is for the Indianization of the services. And when they do so, they probably forget that those who got into the services by open competition in England would naturally feel that position which they were expecting to get in course of time, will be denied to them. Swarajists :—(' They will get compensation.')

" We are discussing the question apart from the question of compensation. We are concerned with the question of injustice Surely if a person is aggrieved, he will get compensation. Therefore there is no point in basing the entire argument on the question of injustice. That is not a sound argument. Is it injustice after all ? We take the condition of the services, at the time these gentlemen entered the services, surely, they never expected that their salaries would be increased to the present level on account of their services as sub-registrars. They began, if I remember right, on Rs. 35 a month. And now in the superior selection grade they hope to get a much higher salary. It cannot therefore be said that there is injustice. No doubt, they might have expected better prospects ; but it cannot be said that they are entitled to all the privileges that might come and will not share occasional disadvantages.

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"The moment a certain person becomes a district registrar several appointments of clerks, peons and so many others would be under him and if a person of the non-Brahman, Christian or Muslim community gets that post the members of those communities may have a chance of equalizing the inequality in such cases; so that it is not merely a case of giving a preferment to one alone. If a particular consideration should be the guiding principle in the case of one of the services I can't understand why this should not be applied to other services. This is a matter of selection grade. This is practically a new appointment for which even strangers could be recruited. Under the circumstances I cannot see any injustice in enforcing a principle meant for the purpose of bettering the prospects of a large or important communities in this Presidency."

* Rao Bahadur Sir A. P. PATRO :—"In the carefully prepared written speech of the Leader of the Opposition he has missed the real point at issue before the House. He characterized the method of recruitment as illegal and opposed to all canons of justice and fairness. I do not propose to deal with the first part of his objection. I leave it to the Government whether or not it is warranted by the rules or by the sanction of the Government of India. My object will be to offer a few remarks that the Government Order or the proposal issued by the Government is neither unfair nor dishonest but is one which has been accepted by this House. 3-15 p.m.

"The policy of this House has been laid down by resolutions passed by overwhelming majorities in 1921 and 1922. Communal representation has been the accepted policy and communal representation was emphasized by those very persons who may now sit in the Opposition; there are members who said that it was absolutely necessary in the interests of the country. (Hon. Members : 'Who are they ?') I would ask you to search your own hearts and say whether you did or did not subscribe to the principle of communal representation as an absolute necessity in the administration of this province. Sir, again you will find that this principle of communal representation has been clothed in another form, and that is what we have been saying repeatedly in the conferences of the party, namely, that we stand for communal justice and for equal opportunities for all. Wherever there are qualified candidates who are well equipped with the necessary qualifications and attainments, available for certain appointments, candidates of communities which are not properly and adequately represented in the particular service should be given preference, so that communal justice may be meted out in the administration of the country. I would not go into the history, the painful history of the successive attempts made in order to throttle the policy that was laid down by this House. But suffice it to say that in what the Government has done to-day it is only justifying itself, it is only redeeming the policy that the Government had accepted at the time. Sir, I would not detain the House in taking the House through the history of communal representation. As long ago as the 3rd September 1843 this question was raised and this policy was laid down by the then Government. It was emphasized and repeated again in the Board's Standing Orders in 1855. Sir, in 1911 the Board and the Government revised the whole policy and laid down the principle of adequate and proper representation of all castes and communities in the services. Sir, if hon. Members would turn to Board's Standing Order No. 128, they will find the whole

history of this question. In 1913 again the Government made an attempt to do justice to all communities and yet we see what the situation to-day is, and how it is being worked. Attempts have thus been made from time to time to emphasize the principle that there should be equal opportunities afforded to all classes and communities in the services, but for some reason or other justice is denied. Sir, is this a wrong and unfair principle? Sir, you find that the principle of Indianization has been emphasized by us nationalists, and as we are all nationalists (Hear, hear) we want that gradual Indianization must be conceded to us. When we agitated for Indianization of the services, the vested interests raised a hue and cry. My friend has spoken of the existing and accruing rights of these subordinate services having been trampled down by this principle and therefore it is absolutely necessary that they should be protected. A similar cry was raised on behalf of vested interests in the case of Indianization, and what has been the reply of nationalism of this country? They said that it was unnecessary to take note of it and that as vested interests were interferred with, the services raised a storm of opposition but Indianization should be proceeded with. If we stand for Indianization, if the vested interests of those that have come here from other countries and have been with us, and governing this country, wielding administrative powers are to be interfered with and disturbed, then what is the meaning of this cry in regard to this matter? The matters are similar. Therefore I see absolutely no reason whatever even from the nationalists' point of view for any opposition to the principle of communal justice. If we turn to the other side, if we turn the searchlight into the society, into the organization of the services, you will see the justice of this principle. I do not want to go into details, but I only stand for the principle. If you turn the searchlight into every department, what do you find? You will find the sad spectacle of injustice. I do not blame them for this situation. People who are not advanced now did not take advantage of the facilities afforded by the East India Company and the Government later, and therefore these classes naturally were left in the background. Those who started earlier gained power in the country, and a minority now wield the whole power in this country. But when other castes and communities make an attempt similarly to raise themselves from their present level and follow the example of those people in order to attain social and political progress, is there any reason to deny them the right of uplifting themselves, and do you say that they should not strive for social and political equality? Sir, you can very easily imagine what an amount of power is being wielded by a class which has all official power in its hands in this country where other classes are educationally backward. For decades and decades the people have been in the hands of a particular class who held much social and religious influence in the country. In the midst of these social and religious influences, when Government office meant so much influence and power, what would be the condition of the populace? Now they are conscious of the new reform scheme. The vote given them under the reform scheme has roused the communal consciousness and they have realized what power they have. There has been much awakening among them, and in such an awakening you must provide them with facilities which are quite just. Vested interests must not be allowed to stand in the way of their progress. The Government Order that has been issued is one not against those who are now in the service. It raises only one question, namely, that a new cadre

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has been created where there was no selection cadre before in the Registration department. It is created for the first time in order to provide for those who would not be able to go up to the post of the District Registrar. It is not a case of a mere ordinary promotion from one post or grade to another, but it is the case of selection for fitness. In every case of selection, the fittest or the most efficient person will have to be selected (Hear, hear). That is so in this case. I would throw out a challenge to hon. Members to produce instances. The speech of my hon. Friend Mr. Venkataramana Ayyangar and the vehement denunciation of my friend from Cuddalore only resulted in pointing out that we should be ashamed of the Government and that this Government is unworthy and so on. I do not care to criticize the Government (An hon. Member:—You dare not). You should not lose your temper in a problem in which you are yourselves concerned. Bad temper does not make up for argument. My friend said that the hundredth man was promoted. I do not see, if he is a qualified and competent candidate, why a man who has crawled up in the routine course should be given a preferential place. If a man who has only ordinary attainments is to be allowed automatically to go up to a selection cadre, where then is the scope for a really bright, intelligent and capable man to go to the selection grade? Hence, the principle must be upheld. The selection into the grade is not challenged on any of these grounds, namely, the ground of efficiency, ability and so on, but only on seniority, because a particular man occupies the third or fourth place in the list he should have the right. I can understand hon. Members placing facts before us but not theories. We must have facts to show that there is a case where a person, who is duly qualified and efficient and has put in the necessary service, has a grievance. No case has been pointed out by the Opposition. I have carefully heard the speeches of the hon. the Mover, the seconder and the supporters. No one has cited a single fact to show that injustice has been done in any case. Communal justice should not be one on paper. It should not be advocated merely in order to placate some other classes. Some people say ' We stand for communal justice' for the time being, but when it comes to a real acid test of action, they do not show it. The truth and justice of the principle must be accepted. Certain communities have had the position and power by virtue of their long advance and education over other communities but the overwhelming numbers of the masses, in those days of democracy, assert themselves. If we stand for democracy, naturally the masses must be allowed to assert themselves. You cannot have any one class to monopolize power any longer. The masses are being educated and enlightened and will assert themselves and all these vested interests must naturally be interfered with. Therefore naturally there will be a certain kind of agitation. Communal justice in this province is a principle of democracy and is not opposed to nationalism at all. Therefore I say on the ground that not a single instance has been pointed of injustice being done in the selection-grade appointments, that this is a new cadre, recruitment should be on the basis of communal justice, fairness and equality. That not being challenged, I say there is absolutely no case made out. I am afraid that this is one of those cases which is more intended for newspaper reports or platform entertainments."

* Mr. K. R. Karant:—"Mr. President, Sir, I have not much fear in putting my head into this hornet's nest, because I come from a district

which has been ignored, whether Brahman or non-Brahman, all along under this Government. And speaking for myself, I wish to say that I have never aspired for Government service and do not propose to hereafter. And my only confidence in speaking on this motion is this, that in these two years that I have been here I can honestly say that I have not gone to any hon. Member on the opposite side and sought any appointment or recommended anybody or done anything of that type for which I should be ashamed of speaking on this resolution. I propose, therefore, to discuss it on its merits. I have nothing to say against the claims made by the non-Brahman communities that they should have a proper and just share in services. I have read the proceedings of this House in August 1921, and I have nothing to quarrel with that because it is perfectly right that every community and specially those who are backward should have in fact more representation in the Government service. Speaking only for myself, I am prepared to say that the two appointments which are now reserved for Brahmans under this Government Order may all go to other communities and not even one may go to the Brahman. Because after all, I feel that nobody is happy under the Government service. I think it is only a glamour. And I wish that if the non-Brahman communities have that glamour for some time, they will also come to the same view. If you take a subordinate on Rs. 50 or 60 with half a dozen children to support, and see how he is living, I do not think any Brahman or non-Brahman would wish to be under the service of this Government. Therefore, I wish that none of my friends should get into this Government service. Even in the case of the higher appointments, the difference is not very much. I am not even against proportionate representation. I am prepared to say that all the appointments may go to any community except the Brahman, because a Brahman should not think it is his monopoly. If he exercises his intelligence in other avocations of life like commerce, industry or the like, he is sure to thrive and thrive much better than in Government service. Now he generally spends much money on his education and even mortgages his ancestral property, and after all he does not get much in return in Government service. The sooner he gives up that ideal of Government service, as the *summum bonum* of his life, the better will it be for his wife and children and for the whole community. Therefore I have nothing to say against this Government Order as such.

"I have nothing to say against the Government Order. But coming to the question on hand, I think it is all a juggling with the terms 'recruitment,' 'promotion' and 'selection'. I think that it is really a breach of faith on the part of the Government to say this is a question not of promotion but of recruitment; because if you go into the history of this question, it is said in the letter of the Inspector-General to the Minister (this was placed before the House yesterday): 'With reference to the personal interview with the Second Minister, I enclose a statement showing the financial result of the scheme adumbrated by me for the betterment of the prospects of sub-registrars.' So at that time it was thought a natural promotion for all these people. I might mention the introduction of such a scheme was incidentally suggested by me last year in connexion with the representations made by a deputation of the Madras Presidency Sub-Registrars' Association which waited on the hon. the Minister on 3rd October 1925. As far as I am able to make out, it was composed mostly of the Brahman sub-registrars who wanted a higher promotion. I am speaking

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subject to correction. The Inspector-General goes on to say: 'Taking the existing personnel of the District Registrars for which the number of vacancies ranges from two to three per annum, etc. Then he goes on 'I submit that the same principle may be extended to the sub-registrars so as to enable the officers who have not the opportunity of getting into the existing ranks through their service, to rise to Rs. 250, the maximum pay of the District Registrar. This will also give the officers a small increase in pension.' Then he says: 'I am confident that the revision of pay suggested by me would add to the efficiency and contentment of the service.' I do not understand how out of 121 men (I have followed closely the list of selection and I find it is a wonderful list that is made) if you choose one here and one there, it will give contentment and add to efficiency. The Inspector-General had no idea that it was to give representation to certain community. Else it should have found a place in his. Again, when the demand came before the House on the 28th March 1928, the same thing was reiterated: 'The Inspector-General is confident that the creation of a selection grade would add to the efficiency and contentment of the service.' If the hon. Minister wanted to give due representation to all the communities, and if he had come forward and said that it was one of his objects, he would have said so at the time. There was nothing of the kind. On the other hand, in his speech he said that people of approved standing of 25 years' service would be given the promotion. But now we find it is not so. People of less service have also got in. I feel that it is hardly just that anybody should be penalized by creating a selection grade of this type, and that those that belong to a particular community should suffer. Now, in the answer to the question put by Mr. S. Satyamurti, it is stated 'The term "recruitment" covers selection from a subordinate service or transfer from other departments as well as first appointments'. I cannot by any stretch of imagination see how these proportions would give contentment to those who were saying that they had no hope of promotion to the district registrarship. To say that recruitment includes also selection from the same cadre is a travesty of justice. Whatever the result of this motion, I do not think it is proper or just that Government should encourage this sort of discontent and inefficiency in the service."

Mr. M. A. Manikkavelu Nayakar:—"Mr. President, Sir, the subject of communal representation in public services is not a new thing to this House. In fact, even as early as 1921, there was a resolution carried by this House unanimously that a certain percentage of appointments should go to the backward and other non-Brahman communities. In those days, there were stouter champions of the efficiency theory than now and yet they did not oppose the resolution. Probably they thought that the resolution would not be given effect to. As a matter of fact, seeing what has happened since, they were right and those who promoted the resolution were wrong. If we turn to the questions put this morning here, in answer to a particular question, it will be clear, 'It has been repeatedly asserted in this House and outside it that these orders have been ineffective and inoperative and it is a fact that the returns compiled to exhibit the effect of the orders do not show that there has been much change in practice in the years since the order was issued.' Therefore, these communal orders and Government Orders had practically no effect in carrying out the resolution which was passed unanimously. The Government have been thinking how best and

effectively they could put into effect this resolution. After seven or eight years, they found a way, and at last the recent Government Order has been passed which in a way would try to give effect to this resolution. That is why a section of the House is so vociferous because Government want to give real effect to the resolution passed many years ago.

"Another plea is that vested interests would suffer if this communal principle be extended to the service. Will not vested interests be affected when pressing for the Indianization of the services, I ask? For instance, an European or an Englishman may as well say 'We have come here with the hope that the British Empire will continue for ever, and we have established many clubs, gymkhanas, etc., and it will be difficult if you ask us to clear away.' Therefore in giving proper effect to the Government Order by giving due representation to all the communities, one or two communities which were enjoying a special advantage must suffer and so they cannot complain. Again, the theory of efficiency may be brought forward. Even considered from the point, the Government Order has many restrictions. For, the order says 'If qualified and suitable candidates are available in each community officers shall be appointed so that the proportion of appointments made from each community may,' etc. Thus it will be seen that only if candidates suitable and duly qualified are available, the Government will think of recruiting men from that particular community; if such men are not available, selection will be made from other communities of duly qualified and suitable persons. Therefore, there would not be much complaint even from that point of view."

* Mr. A. PARASURAMA RAO:—"Mr. President, Sir, I do not wish to enter into this controversy and discuss whether the Government Order that is issued is just and proper or there is anything wrong with it. My point is entirely different from those of the previous speakers. I would simply lay the whole blame at the door of the Government for having issued the Government Order at this psychological moment. The Government wanted to create communal acrimony at a time when it ought not to be roused. They laid a trap, and the Leader of my party fell into that trap easily, I say with due deference to him, and brought in this question by means of an adjournment motion. And the Government have scored a point, with the result that the acrimony that has been created will not only be confined to the four walls of this House, but will be carried throughout the Presidency. (A voice: Simon Commission.) I will come to it. Why the Government chose this particular moment to issue the Government Order is a point which we have to examine. Were they justified in doing so, apart from the question of communalism or otherwise? Brahmans do not care a farthing for Government appointments. I will simply say Government need not have chosen this particular time for adumbrating a principle of this kind.

"It has been said that so early as 1922, the principle was enunciated in this House and that principle has been given effect to now. But why should it be at this particular moment? Is it without any motive or purpose? At a time when the Simon Commission is about to visit this place, this question is raised when the bogey of communalism has been ringing throughout the country. In the Southern Presidency there was only the question of Brahman versus non-Brahman which is a bi-lateral question. Now, by the

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introduction of this Government Order they have made it a quadrilateral question, viz., Brahman, non-Brahman, Muslim and Christian. That is the effect of a Government Order of this kind.

"Well, it has been said the whole question has been placed before the country with a view that this acrimony may be intensified so that people may go on fighting indifferent to the consequences or outcome. If that is the object of the Government, I daresay they have immensely succeeded in it. As to the merits of the question I do not want to enter into them now. The persons who it is said have vested interests do not care to maintain vested interests. They will surely be prepared to give way in favour of other communities who are less favoured. We need not fight over the matter. If the Government are not actuated by a sinister motive, as I said, they would do well to at once say that this Government Order would be withdrawn for the time being, because every one of these communities, Muslims, Christians, Brahmans and non-Brahmans, must close up their ranks and show a united front and say that the necessity has arisen when these communal questions ought to be wiped out completely and show to the Simon Commission that there is nothing, no difference at all in the matter of these appointments and other things. That is the reason why I said that the moment is very inopportune for the issue of this Government Order. If my view is incorrect and if the Government think that I am wrong in accusing them, well, they might certainly get up and say that my view is wrong and that they are prepared to withdraw this Government Order now and issue it sometime hence." 4-15 p.m.

Diwan Bahadur S. KUMARASWAMI REDDIYAR :—"Sir, I rise to oppose this motion. Fortunately for us in this province, we have no such communal trouble as the Hindu-Muslim question which affects other portions of India. The one cause of such communal trouble as does exist in this province is, as has been recognized for many years, the great preponderance, if not the monopoly, in the services of one particular community. My hon. Friends sitting to my right, who represent as they profess to do the most advanced national feeling in the country, have themselves recognized that this great preponderance is an evil that ought to be removed. I may examine, Sir, the cut motions that were moved at the time of the budget discussion in March 1927. There were 38 motions moved then for the purpose of bringing to the notice of the Government the very inadequate representation of the communities to which the authors of those motions belong or whose interests they wanted to protect. I find on a calculation, Sir, that 33 of these motions were brought by my hon. Friends sitting to my right, members of the Swarajya party. Well, Sir, I hear a voice that even now they recognize it. I am very thankful to the hon. Member who said so. I need scarcely want any better authority than the author of present adjournment motion itself in support of my view. I shall read only a few sentences from a recent address of his which he delivered at the All-Parties Conference at Coimbatore. He said there, Sir, in words which I would myself have considered perhaps too strong, that this was an evil which we ought to recognize and which we ought to remove. He said:

'I make a similar appeal to my friends of the Brahman community not to misunderstand the apparently aggressive inroads made by the non-Brahmans

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in social, economic and political fields. Owing to one cause or another, they have not had their legitimate share in these fields and the wave of democracy which has swept over the world has awakened them up too and it is only by a spirit of mutual toleration and trust that unity between these two communities can be achieved. There is a tendency at present to think that every appointment given to a Brahman is at the cost of the non-Brahman and every post that is secured by a non-Brahman is due not to his merits but to the communal status. There is no doubt that there is more toleration amongst the Brahmans in regard to the failings and weaknesses of themselves than they have towards the best of their non-Brahman friends. All this is due to selfishness playing still an important part either in higher politics or in the lower plane of offices.'

"Well, Sir, I cannot advance stronger or more forcible arguments than those contained in the passage I have quoted. In answer to this motion which has been moved by the hon Members of the Swarajist party a reassuring statement has been made by the Member of Government that the interests of the communities which they represent will be adequately protected. And more than once, Sir, the wishes of this House have also been represented to the Government in the shape of resolutions But this morning in answer to a question put by the Deputy Leader of the Swarajya party we had a confession from the hon. Member for Revenue who is in charge of the services, that all these resolutions so far have been mere pious wishes and our attempts for greater representation has been a mere cry in the wilderness. I say that on the authority of the statement made by the hon. Member for Revenue himself. Well, Sir, we have had instances when junior favoured lawyers of a community which was already over-represented in the judicial services, were put over the heads of people who had put many many years of service. The nationalist blood of our Swarajist friends did not boil then. Why should it boil now I ask? So long as those resolutions were mere scraps of paper and so long as no endeavours were made to translate them into action, we had the lip-sympathy of our Swarajist friends. When once an honest endeavour is made to give effect to them there is this revolt. I see, Sir, one observation that was made by the Deputy Leader of the Swarajya party this morning which I could quote with great relevancy. He said: 'Vested interests do not commit suicide, or sign their death warrant.' The struggle that we notice to-day is the struggle of the vested interests in this Presidency resisting the demands to abolish those vested interests. Well, Sir, I would say that if, in the name of nationalism, they resist the endeavours to restore communal equilibrium in this Presidency, I would certainly characterize it as a mere travesty of nationalism.

"I thought that this motion which was announced by the Leader of the Swarajya party as a matter of urgent public importance clearly deserving a designation of that character, was going to be debated and discussed as such this afternoon. But after listening to his speech and to the speech of some others who argued in the same strain as himself, I found that the discussion has reduced itself to a mere lawyerlike argument on the rather very insignificant point whether appointments to the selection grade are to be regarded as recruitment or as promotion. I say, Sir, this is not a matter of such great

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national importance as to touch the nationalist chords in the hearts of our Swarajist friends. It is a very small matter and, I am glad to say that one of the Swarajists themselves has referred to this as a very insignificant point that has been raised by the discussion of this question.

"I do see, Sir, from the speeches made by the leader of the Swarajist party and some others that they would have absolutely no quarrel if, in the recruitment of officers as district registrars, the rule in this Government Order is applied. But they say that in making appointments to the selection grade, if this rule is going to be applied, it would affect their national prestige and matters of that kind. I answer that argument by a very simple analogy. If, instead of calling these sub-registrars, sub-registrars of the selection grade, supposing they had an official designation like deputy registrars, if I understood my hon. Friend the leader of the Swarajya party aright, he would have absolutely no quarrel. I would therefore say that it is a quibbling, a quibbling with which we are acquainted and does not deserve the great discussion which has been raised this afternoon as if it were a matter of urgent public importance. I would appeal to my Swarajist friends not to resist such endeavours to restore communal harmony among the various communities in this presidency, but to help and encourage such attempts even if there should be some kind of injustice or prejudice to some vested interests,vested interests always suffer when reforms are undertaken.

"I should thank the Government for the order which they have passed after all in enforcing the resolutions which have been times without number reiterated before this House. And I hope that with equal fairness and courage they could extend it to other departments of the services where such communal representation is required for communities which are not adequately represented."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" Mr. President, Sir, I should thank the hon. the Leader of the Opposition for the opportunity he has afforded to the Government for explaining the position of the Government as regards these communal Government Orders and the various orders issued by the Government and, if possible, to disabuse the minds of some hon. Members who seem to think that some injustice has been done to some people.

"Mr. President, I do not think much of a speech is necessary from me. The speakers who preceded me have already established to a certain extent that no injustice has been done. Therefore, in the course of my speech I do not propose to urge any special arguments of my own, but simply refer to the proceedings of this House on previous occasions when every thing that could be said for and against this proposition has been clearly stated. Before proceeding to the merits of the question, Mr. President, I will first deal with the question which the hon. the Leader of the Opposition raised, viz., that the orders which have now issued are not in the spirit of the rules made and orders issued by the Secretary of State and that our rules are ultra vires. In this matter, Mr. President, I wish first to make one remark and that is this: The opposition seems to have proceeded on the basis that the order which we issued on the 3rd September and the one which was issued on the 11th September stand on the same basis. We are authorized under the Delegation Rules to make rules for the Provincial and Subordinate Services. We have issued the rule under section 96-B and it is published in

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the gazette of the 13th October. In that connexion my hon. Friend the Leader of the Opposition and some other members on the opposite side referred to rule 5 which laid down that promotion to the selection grade shall be for approved service and for more than ordinary merit and that no officer shall be entitled to promotion to that grade merely on the ground of seniority. They laid strees on the fact that the words 'communal representation' did not find a place in rule 5. May I, for a moment, draw their attention to the whole of the rule and point out what the selection grade there referred to is? The selection grade referred to in the rule is for the 33 posts of District Registrars in this Presidency. The rules made under section 96-B refers only to the 33 District Registrars and none else. They are called the Madras Registration Service and the rules issued apply only to them. Their cadre is from Rs. 250 to Rs. 500 and above Rs. 500 there are two posts in the selection grade, one on Rs. 600 and one on Rs. 700. Rule 5 refers to these two posts on Rs. 600 and Rs. 700 and has absolutely no application whatever to the selection grade of Sub-Registrars which was created by another Government Order so that any argument based on 96-B is absolutely irrelevant to the question we are dealing with.

4-30 p.m. "My hon. Friend the Leader of the Opposition and some other hon. Members said that we were afraid to approach the Government of India with regard to the embodiment of rules regarding communal representation in the rules under 96-A. I would invite the attention of my hon. Friend the Leader of the Opposition to rule No. 3 under section 96-A of the Government of India Act which I dare say he has read but, I am afraid, interpreted wrongly. I submit, Sir, if any rules are made by this Government as regards recruitment to public service, unless the appointment is to be on the recommendation of a Public Service Commission or as a result of competitive examination—such rules need not have the sanction of the Government of India. We do not fear that the Government of India will not sanction the legitimate rules of this Government, rules which have been sanctioned by two resolutions—I say, resolutions which were passed unanimously—that each community should have a fair representation in the public service of the province. We absolutely had no such fear when we made this rule. What we thought was it would be inconvenient for the Government of India and for this Government if we approached them at every time, when we wanted to make certain appointments, to sanction those appointments. If we wanted to do so, we could have very easily done so, but as a matter of administrative convenience we thought it would have been very difficult for us to approach the Government of India at every time and get their sanction. That is the reason for not making that a rule under section 96-A. As regards Sub-Registrars, they belong to the subordinate services to which the rules under section 96-A do not apply. As regards the Government Order about communal representation, the Government are acting intra vires in framing them.

"Mr. President, thus clearing the ground of legal difficulties, I shall refer briefly to the history of these communal Government Orders which have been referred to by some speakers, especially that referred to by Mr. Patro. I do not think it will be necessary for me to refer to the Government Orders which were passed prior to the Reformed Councils. In 1921 soon after the

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Reformed Council came into existence a motion was tabled in this House and I say that motion was carried unanimously. The resolution runs in these terms :— 'That with a view to increase the proportion of posts in Government offices held by non-Brahmans the principles prescribed for the Revenue Department in Board's Standing Order No. 128 (2) be at once extended to all departments of the Government and be made applicable not only to the principal appointments but to posts of all grades and that the Government should issue orders accordingly and insist on their being enforced and that to this end half-yearly returns showing the progress made should be submitted by the head of each office. Such periodical returns shall be made available to the members of the Legislative Council.' Mr. President, in pursuance of this resolution the Government issued a Government Order on 16th September 1921 the terms of which are as follows :—' In order to increase the proportion of posts in Government offices held by non-Brahmans the Government direct that the principle prescribed for the Revenue Department in Board's Standing Order No. 128 (2) on the subject of distribution of appointments among various classes and communities should be extended to appointments of all grades in the several departments of Government. All heads of departments and other officers empowered to make appointments are requested to adhere strictly to this principle in filling up vacancies in future."

Mr. Abdul Hamid Khan :—" Was this adhered to ? "

The hon Mr. S. Muthiah Mudaliyar :—" It is not for me to say whether it was adhered to or not. The hon. the Revenue Member admitted that it was not adhered to but it remained a dead letter for some time. But the Council of 1921 complained that this Government Order had not definitely and clearly set out the objects of the Government and a resolution was tabled to condemn its action in not having clearly worded the Government Order. To avoid a volley of well-merited criticism, the Government issued another Government Order in August or September 1922, which brought out clearly the objects of the previous Government Order. I do not think it will be necessary for me to refer to the whole of that Government Order but I will read only five or six important lines therefrom and they are these :—' Government recognize that if principal appointments are to be divided among several communities, the lower appointments from which recruitment is made to them must be likewise divided and are quite prepared to agree that in order to give effect to this policy other things being equal the principle specified in the Board's Standing Order should be given effect to both at the time of initial recruitment and at every point at which men are promoted wholly by selection and not by seniority.' Mr. President, what else is it on the present occasion ? It is not only by seniority that a man gets promotion in the various departments of the Government. There is what is called time-scale and a man gets promotion up to Rs. 150 So, the principle is wherever there is promotion from one grade to another and where the principle of selection comes in, then the principle of communal representation will come in. What further has been done than exactly applying this principle ? May I say, Mr. President, that this communal Government Order was not adhered to as it ought to have been or as the hon. Members of this House thought it ought to have been done, and in the year 1925 the United Nationalist Party of which the hon. the Leader of the Opposition who now moves the

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adjournment motion, you, Mr. President, Mr. A. Ranganatha Mudaliyar and many of the hon. Members of this House were members, tabled an amendment to a resolution and the amendment was in these terms :—

'That this Council recommends to the Government that a committee of this House be appointed to enquire and report as to the working of the policy laid down by the Government in G.Os No. 658, dated 15th August 1922, and No. 76, dated 6th February 1924, and to suggest means to effectively provide for giving preference to competent candidates from communities which have not had their due share of appointments in public service until the existing inequalities are removed.'

"President, I should say judging from the speeches made on that occasion one should hesitate to characterize this order of the Government as unjust or against the interests of the nation."

The hon. the PRESIDENT.—"I should say that the hon. Member is wrongly quoting. The first motion was that of Mr. Natesa Mudaliyar. What the hon. Member is quoting is the amendment of Mr. Ramalingam Chettiyar."

The hon. Mr. S. MUTHIAH MUDALIYAR :—"Yes, Mr. President, I am referring to Mr. Ramalinga Chettiyar's amendment. The speech that he made on that occasion runs in these terms : 'So, I beg to submit, Sir, that from all these points of view, both political and economic, it is absolutely necessary and I think it ought to be possible, that all communities should have their proper share in the public services of the country. Otherwise the result will only be what we have already experienced so long, viz., that the non-Brahman communities will be far behind the other community, the Brahman community, and also, Sir, politics as understood in India has been mainly the concern of persons holding offices and the members of their communities who are swaying the opinion of the country. It has been said that Madras is conservative, it has been said that Madras is backward. Well, Sir, what is the reason ? The reason to my mind is very plain indeed, viz., that in Madras there is this cleavage, i.e., those who know politics, those who dabble in politics, are not the masses, are not the large body of the people but only a few classes at the top. And there is the natural result that those others look askance at these people who lead and they are not quite prepared to share their views fully with the result that we have not the same sort of national movement with the same sort of following as in other parts of the country.' "

Dr. B. S. MALLAYYA :—"On a point of order, Mr. President. Is it open to the hon. Minister to read too long from a book ?" (Laughter.)

* The hon. the PRESIDENT :—"The hon. Minister will have to conclude his speech very soon."

The hon. Mr. S. MUTHIAH MUDALIYAR :—"When, Mr. President ?"

* The hon. the PRESIDENT :—"The usual time allowed is 15 minutes. The President is given the power to extend it. I request the hon. Member to close his speech at 4-45."

* The hon. Mr. S. MUTHIAH MUDALIYAR :—"Sir, to continue my quotation. This is how he continues :—'Well if that state of things is to disappear and if all of us could feel together and there could be a common movement in which everybody would take part, then also I beg to submit that it is

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absolutely necessary there should be no sort of reservation, as it has practically amounted to, of all these Government appointments and of the political life to one or two communities.

"Mr. President, after the passing of that resolution a committee was appointed to go into the whole question to see how far these communal Government Orders had been carried out. Unfortunately that committee did not meet, and the Government took up the question in the years 1926 and 1927, to give effect to the communal Government Orders, to the established policy of this House. This question of giving effect to communal Government Orders was not started in the year 1928 but may I tell you, Sir, much earlier and the principle of proportion was fixed as early as September or October 1927 and the present Government Order is only giving effect to the declared policy of this House and also to the two Government Orders that were previously passed. When the proportion was fixed the personnel of the Madras Government was not exactly as it is now, and three of the members constituting it were different. In previous years there was no opposition to the passing of these Government Orders, and when the present Government has passed a Government Order to give effect to these communal Government Orders, I submit there is absolutely no injustice which anybody can complain of in this Government Order. If you think it is not right, reverse the previous decisions of the House and the previous Government Orders.

"These are some of the general observations which apply to the Government Order. Rules like this have been issued with regard to various other departments such as the Survey department, the Engineering department, the Forest service, the City Civil Court and the Chief Presidency Magistrate's Court and so forth, generally fixing the order of appointments to be distributed either on communal proportion or on communal rotation. For instance, if a Muhammadan is a judge now, the next judge must be according to the communal rotation a non-Brahman or a Christian or a Brahman. Coming to the Registration department this question of communal representation was there long before these Government Orders, and as early as 1920, when Sir P. Rajagopala Achariyar, one of your distinguished predecessors, was in charge of the department, he laid down that out of every four appointments of District Registrars three should be non-Brahmans and one Brahman. Subsequently in 1921 or 1922, when the upper grade of Sub-Registrars was first brought into existence, this principle was applied in the selection to the upper grade of Sub-Registrars. On six or seven occasions subsequently when selections were made to the upper grade of Sub-Registrars this principle was applied, not without deliberation, but after full discussion and deliberation and after arriving at the conclusion that this principle applied to the upper grade Sub-Registrars. I do not see why the same principle should not be applied in the case of selections from upper grade to the selection grade. Government have only been following the principle that was laid down already. I am not particular that this principle should be there or should not be there. But unless you say that this priniciple should not be there and that the policy should be reversed, a policy which has been laid down with the consent of the whole House, I do not see how, in making these appointments to the selection grade on the principles which have been laid down by the Government long ago, we have not done justice to the existing or accruing rights of the people. This seclection grade came into

4-45 p.m.

existence only in April 1928 and none of the gentlemen now in service who entered it 20 or 25 years ago looked up to an appointment like this. The hon. the Leader of the Opposition said that he had no quarrel if this principle was applied to the selection of District Registrars, but he would not like to see it applied to the selection of selection grade registrars thereby interfering with their hope of becoming District Registrars. On what principle, I ask? I do not think that in the step taken by the Government any injustice is done to anybody and all that we have done is to carry out an avowed policy of this House and of the Government."

Mr. A. RANGANATHA MUDALIYAR :—" Mr. President, I am rather glad that this question has been raised in this Council, so that much of the confusion that might exist in the minds of some hon. Members might be removed. This question of communalism is an old one and a discussion of it has taken place from time to time in this House. In 1921 this question was first mooted with regard to recruitment to the Judicial service and it was then decided that the same principles which applied to the recruitment of officers of the Revenue Department should apply to the Judicial Department also. Subsequently in 1922, the resolution referred to by the hon. Minister was passed. An amendment was moved by Sir Parasuram Patro; it is a fact that I seconded it and it is also a fact that the resolution was unanimously passed by the House without a single dissentient voice whatsoever from any part of the House. So that so far as that resolution was concerned all the Members of the House who were then present were committed to it. And it goes without saying that the people who agreed to that resolution wanted to give their own interpretation to the terms of the resolution whatever might have been the views of the people who started discussion in the matter. But so far as the Government was concerned, there is no doubt whatsoever that they did not interpret it in the sense in which the members now occupying the Treasury Bench want to interpret it. (Hear, hear.) Otherwise if they really meant what the present occupants of the Treasury Bench say they meant, surely Sir, common honesty would have required of them to have given effect to it in a more drastic way than they have been doing for so many years.

" It has been admitted by Sir Patro that all their attempts to give effect to the resolution in the particular way in which they wanted it to be done were in vain. It is a tragedy that a thing which could not be carried out by the Justice Party when they were in the plenitude of their power is being carried out by a Ministry which perhaps has taken the clue from that party." (Hear, hear.)

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I said that the principle had been there already, even in September 1927."

Mr. A. RANGANATHA MUDALIYAR :—" Very well, Sir, my hon. Friend Mr. Muthiah Mudaliyar refers to one statement he made, viz., that this had been agreed to as late as September or October 1927, thereby implying that the thing was there already waiting to be given effect to. Sir, if that thing was there in September or October 1927, why was it not put into force till March when a number of selection appointments were made? Why was it, Sir, that I did not act up to this while I was there?" (Hear, hear.)

Mr. MAHMUD SCHAMNAD SAHIB :—" You had not the moral courage."

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The hon. the PRESIDENT :—" Order, order. The hon. Member will continue his speech. The House will have to listen to him very calmly."

Mr. A. RANGANATHA MUDALIYAR :—" My hon. Friend has been good enough to say that I had not the moral courage to give effect to it. I do not call it a Parliamentary expression."

Dr. B. S. MALLAYYA :—" Malabar expression. " (Laughter.)

Mr. A. RANGANATHA MUDALIYAR :—" I may tell him that I am not one of those who say one thing in private and do something else in public. "

Mr. S. SATYAMURTI :—" Hear, hear."

Mr. MAHMUD SCHAMNAD SAHIB :—" Shut up."

Mr. S. SATYAMURTI :—" You shut up."

Mr. A. RANGANATHA MUDALIYAR :—" I was in office till March. This principle was not given effect to by me in regard to such appointments as those to which my hon. Friend has referred. He was in office for a long time ; and why is it that he waited till October of this year to give effect to this order if it had been already there and was only waiting to be applied to to these new appointments? Sir, the fact of the matter is this. There was the question of the Public Services Commission to be appointed and a Bill was necessarily to be drafted for that purpose. In regard to that we had to consider what the rules should be so that it might not be left to the sweet will and pleasure of X, Y or Z to interpret the things in his own way but there might be something definite to be followed. Well, Sir, these rules were never finally approved by us. They were there and they were meant to be considered. The Public Services Commission is nowhere. The rules framed are non-existent. To say that the rules which were under consideration were finally accepted rules and binding on him or on any other person, I must say, Sir, is a misstatement of the facts. (Hear, hear.) There is one serious objection to this sort of order being issued by department after department. Sir, Government is one if it is a Government at all. It should be carried on on some uniform principle. To-day, my hon. Friend issues some orders in regard to the Registration Department on some principle of communal representation. My hon. Friend, Mr. Seturatnam Ayyar, is in charge of other departments ; does he accept these principles? I know my hon. Friend overlooked the interests of his country as well as of his community in taking up the office which he is holding now. I am perfectly certain that he will not repeat it and barter the interests of his community.

" If such orders are going to be promulgated by department after department on different principles, how are you going to have any uniformity of policy in regard to the administration of the various departments of the Government? There would be one method of recruitment for the Registration Department in charge of the hon. Mr. Muthiah Mudaliyar, another method of recruitment for the Public Works Department in charge of hon. Mr. Seturatnam Ayyar and yet another method for the departments of Education, etc. ; while all the while the Reserved departments will be following some method which will never be the same as those pursued by these Ministers individually. Well, Sir, the opinions I am holding are not well sorted

[Mr. A. Ranganatha Mudaliyar] [27th November 1928

out for the occasion. This question came up in 1926 by means of a resolution drawing attention to the wisdom of recruiting people to the selection grade from outsiders. Very well, Sir, what the Government have now done is to select outsiders to this selection grade, so far as they have applied this principle without any consideration whatsoever. This is what I said in regard to a motion then under consideration regarding the recruitment of outsiders.

" It is very well for the hon. the Minister to say that he is anxious to introduce fresh blood in the grade of officers. But does he contemplate the logical sequence of the policy he is pursuing? Here are officers—many of them honest and conscientious—who have done work of reliable nature, who have put in long services and who are looking forward anxiously for the time when they can reach to the top of the service. Just when there is a vacancy at the top and when probably they expect to get the appointment, he gets hold of some person who may belong to a high family and who may have high family traditions—he may not show those high traditions in himself—and pitchfork him into that post. But what would be the feeling of the unfortunate man who has been denied this chance just when he was about to get it? It has naturally a very bad effect on the morale of the people. They feel that there is no inducement to work conscientiously. They say, ' Let us make hay while the sun shines. What is the good of being honest? Because honesty does not pay us in this department.' We thought that it used to pay.' I beg the hon. the Minister to reconsider the policy in regard to this matter.

" The hon the Minister then agreed with much of what I said." (A voice: ' Who was then the Minister? ') Sir Parasuram Patro was the Minister and he said that the exigencies of the service require that we should introduce fresh blood into the service, due care being given to the claims of those who have rendered good service.

" Sir, I hold definite views in regard to this matter. You must divide the services into three compartments, initial recruitment, then promotion whether it be in the grade itself or outside the grade, and then topmost appointments which must be very few. Sir, many of my colleagues here have no serious objection to any proportion that may be fixed in regard to the initial recruitment at the start. But when the same principle is applied in regard to promotions also in a particular grade, I think, Sir, we must draw a line there. . ."

* The hon. the PRESIDENT:—" The House will now adjourn and re-assemble at 11 o'clock to-morrow."

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.

27th November 1928]

APPENDIX I.

[*Vide* answer to question No. 718 asked by Mr. V. I. Muniswami Pillai, at the meeting of the Legislative Council held on the 27th November 1928, page 185 *supra*.]

Copy of report from the President, Sankari Taluk Board, dated 7th November 1928

1. Table 1.
2. Stool 1.
3. Big wooden box with school records 1.
4. Bench 1.
5. Chair 1.
6. Time-piece 1.

I have the honour to state that a report was received from the teacher, Board Elementary Adi-Dravida school, Minnampalli, on 22nd August 1928, that the marginally-noted articles of furniture of his school and some other property of his own which were kept in the school premises were stolen on the night of 20th August 1928. A copy of the report has been forwarded to the Sub-Inspector of Police, Elachipalaiyam (Tiruchengodu circle), on 23rd August 1928 for investigation and early remarks. The Sub Inspector of Police in his endorsement No. Nil, dated 25th October 1928, has stated that the persons concerned in the theft, viz., Ramaswami Gounden, Muthu Gounden and Thambi Gounden of Selambagoundanpalaiyam were charged under sections 457, 380 and 426, Indian Penal Code, and the case is under trial before the Stationary Sub-Magistrate at Tiruchengodu.

APPENDIX II.

[*Vide* Item III—The Jaina Succession Bill, at page 211 *supra*.]

BILL No. 17 OF 1927.

THE JAINA SUCCESSION BILL.

Report of the Select Committee.

To

THE HONOURABLE THE LEGISLATIVE COUNCIL
OF THE GOVERNOR OF MADRAS.

WE, the undersigned members of the Select Committee appointed to consider the Jaina Succession Bill (Bill No. 17 of 1927) have the honour to submit the following report.

2. The Bill was published in the *Fort St. George Gazette* in English on the 20th September 1927 and in Tamil, Telugu, Malayalam and Kanarese on the 27th September 1927.

3. The Committee met on the following dates :—

31st October 1927,
4th November 1927,
8th September 1928,
26th October 1928, and
9th November 1928.

At the meeting dated 4th November 1927, the Committee prepared a questionnaire copies of which were circulated to 69 gentlemen of whom 58 gentlemen sent replies. Twelve gentlemen were also examined orally by the Select Committee on the 26th October 1928 at Mangalore.

4. The answers given to the questionnaire as well as the answers of the witnesses during their oral examination clearly show that the Jaina community is unanimously in favour of this Bill. The Committee have therefore accepted the Bill and have only made a few drafting changes. The most important change they have made is the omission of the explanation to clause 5 and the insertion of a new clause instead as clause 6. The Committee think that the principle contained in the Explanation should be incorporated in the Bill in the form of a substantive clause and have therefore omitted the Explanation and inserted clause 6.

5. A copy of the Bill as amended by the Committee is annexed. The Committee do not think it necessary to republish the Bill.

S. SATYAMURTI.
M. KRISHNAN NAYAR.
P. SUBBARAYAN.
C. V. ANANTAKRISHNA AYYAR.
K. R. KARANT.
J. A. SALDANHA.
M. SCHAMNAD.
A. B. SHETTY.
K. SITARAMA REDDIYAR.
B. S. MALLAYYA.

27th November 1928]

[The alterations made by the Select Committee are printed in clarendon type.]

BILL No. 17 OF 1927.

The Jaina Succession Bill.

An Act to amend and define the Law of Intestate succession among Jainas governed by **the** *Aliyasantana Law of Inheritance.*

Whereas it is expedient to amend and define the law **relating** to intestate succession among Jainas governed by **the** Aliyasantana Law of Inheritance and whereas the previous sanction of the Governor-General has been obtained under section 80-A of the Government of India Act; It is enacted as follows:— **Preamble.**

1. This Act may be called the Jaina Succession Act, 192**8**. **Short title.**

2. It extends to the whole of the Presidency of Madras. **Local extent.**

3. It applies to Jainas domiciled in the Presidency of Madras who are governed by the Aliyasantana Law of Inheritance and also, in respect of immovable property situated within the Presidency of Madras to Jainas domiciled outside the said Presidency who are so governed. **The application of the Act.**

4. A person is **deemed** to die intestate **in respect** of **all** property, of which he has not made a testamentary **disposition** which is capable of taking effect. **Intestate property.**

Explanation.—Property in this section does not include tarwad **(kutumba)** property, unless the person dying intestate was exclusively entitled to it.

5. Such property shall, notwithstanding any law **or** custom to the contrary, devolve upon his heirs in the order and according to the rules of the Mitakshara Law of Inheritance, under the Hindu Law **as administered in the Presidency of Madras. Such property, on devolution, shall be subject to all the incidents of the Mitakshara Law of Inheritance as administered in the Presidency of Madras.** **Mitakshara law of Inheritance to be applicable to Jainas now governed by the Aliyasantana Law.**

6. Notwithstanding any law to the contrary, all forms of marriages among such Jainas recognized by custom as valid shall be legal and valid for the purposes of this Act. **Customary marriages among Jainas governed by Aliyasantana Law to be legal.**

[27th November 1928

Appendix III.

[Vide Item IV—A Bill to amend the Madras Abkari Act, 1886, at page 213 supra.]

BILL No. 11 of 1928.

A Bill to amend the Abkari Act (I of 1886).

To

The Honourable the LEGISLATIVE COUNCIL
of the GOVERNOR of MADRAS.

We, the undersigned members of the Select Committee appointed to consider the Bill to amend the Madras Abkari Act, 1886 (Bill No. 11 of 1928), have the honour to submit the following report.

2. The Bill was published in the *Fort St. George Gazette* in English on the 25th September 1928.

3. The Committee met on the 9th November 1928 for the consideration of the Bill.

4. *Clause* 2.—As in several cases of seizure under the Madras Abkari Act, 1886, it may not be possible to follow the procedure laid down by the Code of Criminal Procedure for searches, the Committee are of opinion that the first of the paragraphs sought to be added by this clause to section 36 should be omitted.

As regards the second paragraph sought to be added to the same section, the Committee by a majority consider that in the case of searches under the provisions of this Act, the safeguard provided in section 103 of the Code of Criminal Procedure, viz., that the officer making the search shall call upon two or more respectable inhabitants of the locality to attend and witness the search, should be supplemented by a provision to the effect that the persons shall be other than an Abkari, Police or Village officer. The Committee have so worded the amendment as to make it a proviso to the existing section 36 instead of adding it as an explanation, and have also made some verbal changes in the amendment which are intended to bring its language into conformity with that of section 103 of the Code of Criminal Procedure.

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Clause 3.—The Committee by a majority consider that there is no sufficient reason for discriminating between clubs and other sellers of liquor and that the amendment effected by Bombay Act IV of 1925 to the Bombay Abkari Act may be adopted in this Province also. They therefore accept clause 3.

5. A copy of the Bill as amended by the Select Committee is appended. The Committee consider it unnecessary to republish the Bill.

R. N. AROGYASWAMI MUDALIYAR.

S. MUTHIAH (subject to a note).

C. V. ANANTAKRISHNA AYYAR (subject to a note).

J. A. SALDANHA.

S. N. DORAI RAJAH (subject to a note).

A. B. SHETTY.

J. A. DAVIS (subject to a minute of dissent)

L. K. TULASIRAM.

G. HARISARVOTTAMA RAO.

R. SRINIVASAN.

K. R. KARANT.

K. UPPI.

K. KRISHNAN (subject to a minute of dissent).

D. S. S. EBRAHIM.

P. BHAKTHAVATHSALU NAYUDU.

W. O. WRIGHT (subject to a note).

B. S. MALLAYYA.

P. T. RAJAN (subject to a minute of dissent).

NOTE.

I think that abkari or village or police officers need not be altogether excluded. It will be enough if we say that two at least of the witnesses shall not be such officers. It will be enough if a fee is levied from clubs and it is not necessary to make all provisions of the Abkari Act applicable to them.

S. MUTHIAH.

9th November 1928.

W. O. WRIGHT.

12th November 1928.

NOTE.

I am against excluding altogether abkari, village and police officers. I think it is enough if two at least of the witnesses shall not be such officers. I am not for making all the provisions of the Abkari Act applicable to clubs at present.

C. V. ANANTAKRISHNA AYYAR.

9th November 1928.

NOTE.

I disagree with the majority with reference to clause 3. My opinion is that clause 3 should be omitted.

S. N. DORAI RAJAH.

9th November 1928.

MINUTE OF DISSENT.

I have voted against the amendment under clause 3 and approve of the rest of the proceedings.

J. A. DAVIS.

9th November 1928.

MINUTE OF DISSENT.

I do not agree to clause 3.

K. KRISHNAN.

9th November 1928.

MINUTE OF DISSENT.

I am not in favour of excluding village officers as witnesses. I am against applying provisions of the Act to clubs.

P. T. RAJAN.

17th November 1928.

27th November 1928]

[The alterations made by the Select Committee are printed in Clarendon type.]

BILL No. 11 OF 1928.

(As amended by the Select Committee.)

A Bill to further amend the Abkari Act (I of 1886).

WHEREAS it is expedient to amend the Madras Abkari Act, 1886; and whereas the previous **sanction** of the Governor-General and **of** the Governor **has** been obtained to the passing of this Act; it is enacted as follows:— Preamble.

1. This Act may be called the Madras Abkari (Amendment) Act, **1928**. Short title.

Act I of 1886. **2.** To section 36 of the Madras Abkari Act, 1886, the following **paragraph** shall be added, **namely,** Addition of a new paragraph to section 36 of the Madras Abkari Act, 1886.

"Provided that the persons called upon to attend and witness any search under the provisions of this Act shall be persons other than an abkari, police or village officer."

Act I of 1886. **3.** To section 15 of the Madras Abkari Act, 1886, the following explanation shall be added:— Addition of an explanation to section 15 of the Madras Abkari Act, 1886.

"*Explanation.*—The supply of liquor by clubs to their members on payment of a price or of any fee or subscription is a sale within the meaning of this section."


தமிழ்நாடு சட்டமன்றப் பேரவை
TAMIL NADU LEGISLATIVE ASSEMBLY
வாய்மையே வெல்லும்
TRUTH ALONE TRIUMPHS